



ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

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BOARD MEETING NOTICE

Thursday, April 27, 2006, 3:30 p.m.

CMA Board Room

1333 Broadway, Suite 220

Oakland, California 94612

(see map on last page of agenda)

Chair: Councilmember Larry Reid

Vice Chair: Supervisor Scott Haggerty

Executive Director: Dennis R. Fay

Secretary: Christina Muller

AGENDA

Copies of Individual Agenda Items are Available on the CMA's Website

1.0	ROLL CALL	Confirm Quorum	3:30 p.m.
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2.0	PLEDGE OF ALLEGIANCE		
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3.0	PUBLIC COMMENT		
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Members of the public may address the Board during "Public Comment" on any item not on the agenda. Public comment on an agenda item will be heard when that item is before the CMA Board. Anyone wishing to comment should make his or her desire known to the Chair.

4.0	CHAIR'S/VICE-CHAIR'S REPORT	Information/Action	3:35 p.m.
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4.1	Resolution of Appreciation for Mayor Roberta Cooper* (page 1)		
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5.0	EXECUTIVEDIRECTOR'SREPORT*(page 3)	Information/Action	3:40 p.m.
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6.0	CONSENT CALENDAR	Approval	3:45 p.m.
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6.1	Meeting Minutes March 23, 2006* (page 23)		
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6.2.1	Financial Reports: March 2006* (page 29)		
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6.2.2	Quarterly Investment Report* (page 35)		
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6.2.3	Quarterly SBE, LBE and DBE Report* (page 37)		
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Consent Items recommended by the following committees:

6.3 [Plans & Programs Committee](#)

6.3.1 [TFCA Program: Quarterly at Risk Report* \(page 39\)](#)

It is recommended that the Board approve the attached Quarterly At Risk report for local projects included in the TFCA Program.

6.3.2 Request to Caltrans to Conduct an I-80 Operational Study

It is recommended that the CMA Board request Caltrans to prepare an I-80 Operational Study similar to the study that is underway on I-880. The I-80 corridor continuously ranks as the most congested in the Bay Area. In addition to transit improvements already planned in the corridor, highway operational improvements would provide some congestion relief.

6.3.3 CMA Transportation Improvement Program (TIP): Central County Freeway Study* (page 45)

ACTA amended the 1988 Alameda County Transportation Expenditure Plan to eliminate the Route 238 Hayward Bypass and replace it with four projects. One of replacement projects is the Central Alameda County Freeway Operations Study. ACTA requested the CMA, as the Transportation Planning Agency for Alameda County, to serve as co-sponsor and manager of the study and any follow up project study reports as needed. In October 2005, the CMA Board authorized the Executive Director to enter into a funding agreement with ACTA for this work. It is estimated that the study and any follow up PSRs will take approximately 75% of one staff position over a three-year period. ACTA adopted policies allow project sponsors to be reimbursed for salary plus benefits and direct costs such as consultant services; however, this will not cover all costs to the CMA. Planning is a core function of the CMA, and the study area is a vital link in the Goods Movement corridor identified as a high priority for the CMA. As the CMA's contribution to Central County Freeway Study, it is recommended that the Board 1) approve up to \$250,000 in CMA TIP funds to cover the additional costs; 2) authorize staff to seek grants to reduce the cost to the CMA TIP; and 3) authorize the Executive Director to sign an amendment to the funding agreement with ACTA if necessary. *Note: 18 affirmative votes required.*

6.4 Administration & Legislation Committee

6.4.1 I-580 Corridor: Advance Right of Way Acquisition for Future Median Transit Corridor* (page 47)

It is recommended that the CMA Board authorize the Executive Director, or his designee, to negotiate and execute requisite agreements with the Alameda County Transportation Improvement Authority (ACTIA) to include the I-580 Corridor/BART to Livermore Studies Project (ACTIA 26) in the list of CMA sponsored projects that are part of the I-580 Tri-Valley Corridor Improvement Plan. Funds provided through ACTIA Project 26 will be used for advance right of way acquisition along I-580 for preservation of a future median transit corridor.

6.4.2 I-580 Corridor: Westbound I-580 Auxiliary Lanes* (page 49)

It is recommended that the CMA Board authorize the Executive Director, or his designee, to take the following actions with the Alameda County Transportation Improvement Authority (ACTIA) for the I-580 Auxiliary Lanes Project:

1. Approve the addition of the CMA as a project Co-Sponsor with Caltrans;
2. Negotiate and execute Amendment No. 3 to the Master Project Specific Funding Agreement to include the I-580 Auxiliary Lanes Project, ACTIA 14, in the list of projects sponsored by the CMA;
3. Negotiate and execute Project Specific Funding Agreement for the Construction/Construction Engineering Phase of the I-580 Auxiliary Lane Project – Westbound between I-580/Fallon Road Interchange and I-580/Tassajara Road Interchange, Segment 14A, for \$1,500,000; and
4. Negotiate and execute Project Specific Funding Agreement for the Preliminary Engineering/Environmental Phase of the I-580 Auxiliary Lane Project – Westbound between I-580/Airway Boulevard Interchange and I-580/Fallon Road Interchange, Segment 14B, for \$400,000.

6.4.3 I-580 Corridor: Traffic Management Plan (TMP)/Advance Elements Project* (page 53)

It is recommended that the CMA Board authorize the Executive Director, or his designee, to take the following actions in support of expediting delivery of the I-580 Traffic Management Plan (TMP)/Advance Elements Project:

5. To negotiate and execute all necessary agreements for procurement of long lead items and specialty products to be used in the construction of the project for an amount not to exceed \$1,500,000; and
6. To release a Request for Proposal (RFP) to provide construction management services for this project and execute all necessary agreements with the selected consultant for an amount not to exceed \$1,250,000.

Funding will be provided from available I-580 corridor fund sources.

6.4.4 Transit Oriented Development: Technical Assistance Program* (page 57)

In September 2005, the Board authorized a pilot TOD Technical Assistance Program, or TOD TAP to help TOD project sponsors overcome barriers to advancing TOD projects in Alameda County. The budget for the program is \$40,000, consisting of \$25,000 approved by ACTIA and \$15,000 from CMA's Transportation and Land Use (T Plus) program, funded by MTC. It is recommended that the Board authorize the Executive Director, or his designee, to execute all necessary agreements with the Alameda County Transportation Improvement Authority (ACTIA) for the Transit Oriented Development Assistance (TOD TAP) Program in the amount of \$25,000.

6.4.5 AB 2113 (Aghazarian): Support in Concept* (page 59)

This bill would declare Legislature's intent to enact legislation facilitating improvements to goods movement in Northern California to and from the Port of Oakland and the Central Valley region. This bill is consistent with the CMA's I-880/I-238/I-580 Goods Movement Corridor concept. It is recommended that the CMA support this bill in concept.

6.4.6 AB 2873 (Wolk): Support* (page 61)

This bill would allow a county or city and county to impose an additional 1/4 percent of 1% sales and use tax under the Bradley-Burns Law, increasing the Transportation Development Act funds. TDA funds are used for transit, paratransit and bicycle and pedestrian projects. The CMA supported a similar bill last year. It is recommended that the CMA support this bill.

6.4.7 AB 2538 (Wolk): Support* (page 65)

This bill would stabilize the revenue stream used by transportation agencies for project planning, programming and monitoring by setting a minimum threshold for these funds. The CMA uses these funds to prepare project study reports required for STIP projects, to monitor project schedules and for its programming function. This bill will provide a more reliable and predictable revenue stream for these functions. It is recommended that the CMA support this bill.

6.4.8 SB 1812 (Runner): Support* (page 69)

This bill would allow Caltrans to participate in a federal pilot program authorized under SAFETEA, which is intended to simplify the delivery of transportation projects. SAFETEA authorized a pilot program that allows certain states to assume FHWA's role in approving federal environmental documents. Specifically, this bill would authorize Caltrans to consent to the jurisdiction of the federal courts with regard to the compliance, discharge or enforcement of the responsibilities it assumes relative to environmental documents. It is recommended that the CMA support this bill.

6.4.9 AB 573 (Wolk): Oppose* (page 71)

This bill would restrict the ability of a public agency to include certain indemnity provisions in contracts. It would prohibit a public agency from requiring a design professional to defend, indemnify, or hold harmless the public agency or its officers and employees from any claim, action, or proceeding against the public agency. The CMA uses a clause in its professional services contracts to indemnify the agency, its officers and employees. This bill opens up potential liabilities for the CMA. It is recommended that the CMA oppose this bill.

6.4.10 AB 1974 (Walters): Oppose* (page 75)

This bill would allow a county board of supervisors to authorize unlimited access to HOV lanes, regardless of occupancy. HOV lanes are integral to the efficient movement of people in urban areas, and Alameda County's HOV lanes are contiguous with adjacent counties. This bill could result in a disjointed HOV lane system in the Bay Region and other regions. It is recommended that the CMA oppose this bill.

6.4.11 AB 2621 (Strickland): Oppose* (page 77)

This bill would exempt ethanol and methanol from the sales and use tax, thereby reducing funds for transportation, including Alameda County's Measure B program. It is recommended that the CMA Board oppose this bill.

*** END OF CONSENT ITEMS ***

7.0 PLANS & PROGRAMS COMMITTEE REPORTS Information/Action 3:50 p.m.

7.1 Transportation Fund for Clean Air (TFCA): Exchange Proposal & Guaranteed Ride Home Program* (page 79)

MTC and the BAAQMD are partnering in a \$2.25 million joint MTC-BAAQMD-Port of Oakland Truck Replacement Program and MTC has requested the CMA's assistance in exchanging funds. CMAQ funds are not eligible to fund approximately \$2 million of this project. TFCA funds could be used for the \$2 million component of this project. In addition to this exchange, TFCA funding is necessary to continue the Guaranteed Ride Home program in 2006-7. It is recommended that the Board: (1) approve the exchange of up to \$2 million of TFCA funds in 2007-8 and 2008-9 with MTC/Air District for CMAQ funds; and (2) approve Resolution 05-07 Amended to modify the 2006-07 TFCA program to include up to \$150,000 for the Guaranteed Ride Home Program. *Note: 18 affirmative votes required*

7.2 East Bay SMART Corridors Program: Strategy to fund Operations and Maintenance (O&M) Activities* (page 83)

It is recommended that the Board approve the following recommendations relative to the SMART Corridors Operation and Maintenance Funding Plan for 2006-7:

1. Program \$49,921 in CMAQ funds resulting from a previous TFCA exchange to SMART Corridors operations and maintenance costs; this is the city/county contribution to the plan. Authorize the substitution of general funds available to a city or the County in lieu of using their share of the CMAQ funding.
2. Program \$98,095 in CMA TIP funds to cover the CMA's contribution.
3. Send a letter to MTC requesting \$85,391 as its proposed share.

Note: 18 affirmative votes required

7.3 2006 State Transportation Improvement Program (STIP): Amendments for the Final Program of Projects* (page 87)

The California Transportation Commission (CTC) has released the staff recommendations for the 2006 STIP. The CTC is recommending the deletion of several highway projects throughout the State due to the lack of programming capacity for non-transit projects. It is recommended that the Board approve the following modifications to the Alameda County 2006 STIP submittal:

1. Add \$14 million to a new project for AC Transit to purchase 50 new buses.
2. Remove \$9 programmed to the I-580 HOV Lane and substitute federal funds to be supplied by MTC.
3. Remove \$5 million programmed to the San Leandro sound wall project and substitute federal funds to be supplied by MTC.
4. Remove \$1 million programmed to the Int'l/Telegraph Rapid Bus project and add \$1 million to the AC Transit Bus Component Rehabilitation project in 2007-8.

Other amendments may be necessary as a result of ongoing negotiations with the CTC which may be presented to the Board at the meeting. *Note: 18 affirmative votes required*

8.0 ADMINISTRATION & LEGISLATION COMMITTEE REPORTS

Information/Action 4:10 p.m.

8.1 I-680 Smart Carpool Lane: Public Education and Marketing* (page 97)

A public outreach meeting for the I-680 Smart Carpool Lane was held in October 2005. The meeting had extensive coverage from both newspapers and television. A project website was launched to provide information about the project as well as to provide an opportunity for public input. The summary of the meeting included recommendations for continued public education and marketing of the Smart Lane. Staff is seeking consultant services based on these recommendations. The services will be funded by FHWA's Value Pilot Pricing Program grant with Measure B providing the 20% match. It is recommended that the Board authorize the Executive Director to sign a contract with the selected consultant for public education and marketing services in an amount not to exceed \$400,000 covering a three-year period.

8.2 AB 1020 (Hancock): Watch and Seek Amendments* (page 99)

This bill would require the department and certain regional transportation planning agencies, such as MTC, to develop travel models that incorporate such factors as land use intensification, land use models based on bidding for floor space, representations of all transit lines and roads, parking cash-out, and neighborhood plans that enhance pedestrian access. The CMAs in the Bay Region are required to have travel models that are consistent with MTC's model. The requirements of this bill therefore impact the CMAs in the Bay Region. Some of the requirements of this bill may not be practical and those that are practical could be costly to implement. It is recommended that the CMA Board watch this bill and request amendments that would lessen the impact on CMA travel models (see attached memo for specific amendments).

8.3 Leased Office Space

In February, the Board authorized several new positions and funding to build out the existing leased space to accommodate the growth. The small office area adjacent to our existing offices, which we initially thought might avoid the build out costs, does not appear to be financially feasible. In addition, ACTIA is considering a move, possibly to the 3rd floor of our building. Staff is discussing this option with the building management and ACTIA staff, will analyze the tradeoffs in terms of cost and other factors, and will report to the Board on staff's findings at the meeting.

9.0 OTHER BUSINESS

10.0 ADJOURNMENT

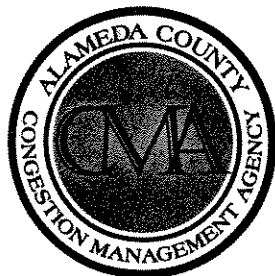
4:30 p.m.

- * Attachment enclosed for members and key staff.
 - ** Materials will be handed out at the meeting.
- (#) All items on the agenda are subject to action and/or change by the CMA Board. Times for agenda items are approximate.

*PLEASE DO NOT WEAR SCENTED PRODUCTS SO INDIVIDUALS WITH
ENVIRONMENTAL SENSITIVITIES MAY ATTEND*

NEXT MEETINGS

THURSDAY, May 25, 2006; 3:30 PM; CMA Board Room, Oakland
THURSDAY, June 22, 2006; 3:30 PM; CMA Board Room, Oakland
THURSDAY, July 27, 2006; 3:30 PM; CMA Board Room, Oakland



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RESOLUTION 06-04

Resolution of Appreciation Mayor Roberta Cooper

AC Transit

Director

Dolores Jaquez

Alameda County

Supervisors

Nate Miley

Scott Haggerty

Vice Chairperson

City of Alameda

Mayor

Beverly Johnson

City of Albany

Mayor

Allan Maris

BART

Director

Thomas Blalock

City of Berkeley

Councilmember

Kriss Worthington

City of Dublin

Mayor

Janet Lockhart

City of Emeryville

Mayor

Ruth Akin

City of Fremont

Mayor

Robert Wasserman

City of Hayward

Mayor

Roberta Cooper

City of Livermore

Mayor

Marshall Kamena

City of Newark

Councilmember

Luis Freitas

City of Oakland

Councilmember

Larry Reid

Chairperson

City of Piedmont

Councilmember

Jeff Wieler

City of Pleasanton

Mayor

Jennifer Hosterman

City of San Leandro

Mayor

Shelia Young

City of Union City

Mayor

Mark Green

Executive Director

Dennis R. Fay

WHEREAS, Roberta Cooper has served on the Board of the Alameda County Congestion Management Agency (CMA) since July 1991, served as Vice Chair from September 1997 to September 1999, served as Chair from September 1999 to September 2001, and will retire from office on June 6, 2006; and

WHEREAS, during Mayor Cooper's tenure as Chair, the CMA:

- initiated the SMART Corridors program with construction on San Pablo Avenue in Alameda and Contra Costa counties;
- established a timely use of funds policy to ensure transportation funds are used and not lost to Alameda County;
- began its fund exchange program to provide local funding to projects that would be delayed or experience extra costs associated with the use of federal or state funds;
- adopted a set of principles to guide Alameda County advocacy relative to BART to San Jose;
- opened the first phase of the congestion relief project on I-680 Sunol Grade, then the second most congested corridor in the Bay Area;
- produced the first project "At Risk" report to spotlight deadlines and help project sponsors meet these deadlines;
- completed its first decade;
- adopted the first countywide bicycle plan; and

WHEREAS, Mayor Cooper served on both of the CMA's standing committees and several special study committees; and

WHEREAS, Mayor Cooper has served with diligence, participating in many lengthy discussions affecting the future transportation system of Alameda County; and

WHEREAS, Mayor Cooper has shown a commitment to improving the transportation system of the County; and

WHEREAS, Mayor Cooper has given freely of her time to the work of the Agency.

NOW THEREFORE BE IT RESOLVED, that the Congestion Management Agency does hereby express its appreciation and gratitude for your service to this Agency and wishes you the best in your future endeavors.

Entered into this 27th day of April 2006 in Oakland, California.

AYES:

NOES:

ABSTAINED:

ABSENT:

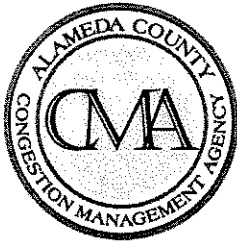
SIGNED:

Larry Reid, Chairman

ATTEST:

Christina Muller, Secretary to the Board

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MEMORANDUM

*April 27, 2006
Agenda Item 5.0*

DATE: April 20, 2006
TO: Congestion Management Agency Board
FROM: Dennis R. Fay, Executive Director *DRF*
SUBJECT: EXECUTIVE DIRECTOR'S REPORT

Sacramento Report

I have attached a report from the CMA's Sacramento representative.

On April 11th a press conference for AB 2444 (Klehs) was held in our Boardroom. Assemblyman Klehs provided an overview of his vehicle registration fee bill to the media. Chair Reid and I were present, and I provided additional details on the types of projects that could be funded with the vehicle registration fee. Representatives of various environmental organizations as well as the Air District and Water Board also provided information on the potential benefits of the bill.

Also of note is the appointment of Jim Bourgart as the Deputy Secretary of Transportation for the state Business, Transportation & Housing Agency. Jim has been a consultant to the CMA on the I-680 Smart Carpool Lane Project and has facilitated the Board retreat for the last several years. We wish him well in his new role and look forward to having another friend in the state government.

Washington, DC Report

I have attached a report from the CMA's Washington, DC representative.

Tri Valley Transportation Forum

On Wednesday, April 5, I participated in this forum on a panel with Christine Monsen and Bijan Sartipi. We reviewed the status of various projects in the Livermore Valley. Assemblyman Guy Houston moderated a panel that included MTC Executive Director Steve Heminger.

CMA Exchange Program – Status Report

The CMA has received a total of \$42.3 million in payments from exchange project sponsors.

Status of Corridor Studies/Projects

I-580 TMP Project – This initial component of planned corridor improvements will implement key elements of a Traffic Management Plan (TMP), including Traffic Operations Systems (TOS) and Intelligent Transportation Systems (ITS) elements, in the Tri-Valley area. The TMP project will assist with traffic management during construction of the I-580 improvements and provides a foundation for bringing the Tri-Valley jurisdictions into the CMA's SMART Corridor Program. It will also provide infrastructure capability to local and regional transit providers to allow transit signal priority (TSP) for express bus routes to be implemented on existing local routes between downtown Livermore and Dublin/Pleasanton BART during construction of the EB Interim HOV project, as well as on the EB HOV route when the facility is complete. The CMA's design consultant is preparing the project report in parallel with preliminary design activities. It is anticipated the project will be advertised in summer 2006.

I-580 Livermore Soundwall Project – This component of planned corridor improvements will construct a soundwall along the north edge of I-580 just east of First Street in Livermore. Caltrans previously prepared the environmental clearance and design documents. The CMA will assume responsibility for completing the final design package and constructing the improvements in 2006. This project is fully funded in FY 06/07 of the STIP.

I-580 EB Interim HOV Lane Project – This project will provide an interim eastbound HOV lane to commuters on I-580 between Hacienda Drive in Pleasanton and Greenville Road in Livermore. Responses to comments on the administrative draft environmental document are complete. The document has been re-submitted to Caltrans for compliance review. Preliminary engineering and at-risk design are progressing concurrently. Comments on the 35% PS&E submittal have been received from Caltrans; a 65% submittal is anticipated in April, with completion of the preliminary design scheduled in late summer 2006. Upon approval of the eastbound-only environmental document, the CMA's design consultant will proceed with final design of the project.

I-580/I-680 Interchange Modifications – The CMA is partnering with Caltrans in the development of a Project Study Report (PSR) for the I-580/I-680 Interchange Modification Project. The traffic modeling assumptions to be used are being reviewed by Caltrans and FHWA. Caltrans will be the lead agency responsible for the preparation of the PSR, supplemented by a CMA consultant support services team as necessary to maintain an expedited delivery schedule. A cooperative agreement between the CMA and the State is currently being negotiated. The PSR will evaluate options to address key commute movements currently experiencing significant congestion and will identify alternatives for further evaluation, including feasible options for direct connector structures for two critical commute movements: 1) westbound I-580 HOV to southbound I-680 HOV; and 2) northbound I-680 HOV to eastbound I-580 HOV. The PSR will also evaluate ultimate HOV movements and update the master buildout plan for the I-580/I-680 interchange. The PSR is anticipated to be completed in late 2006. This project is being developed as an element of the RM2 I-580 Tri-Valley Corridor Improvements.

I-580 WB Auxiliary Lane Project – In cooperation with ACTIA, the CMA is taking the lead as the implementing agency for this project. The project consists of two westbound I-580 auxiliary lane segments as follows: a) Airway Blvd. to Fallon Rd., and b) Fallon Rd. to Tassajara Rd. The

CMA is currently reviewing the environmental clearance status of these segments. The project is fully funded by ACTIA Measure B. The CMA and ACTIA are currently negotiating the agreements necessary to establish project delivery roles.

I-680 HOV Lane Project – Sound wall Construction – The project is essentially completed. The contract called for completion of the project by the end of August and is now in liquidated damages. The project is one of the components of the overall I-680 corridor improvements.

I-680 Southbound HOV Lane Project – The CMA is partnering with Caltrans on the design of this project, with a CMA design consultant developing plans for all structure modifications required in the corridor and Caltrans completing all civil design. Final design is being coordinated to incorporate the Smart Lane components. Construction funds are programmed in the STIP for FY 2007/08.

I-680 Smart Carpool Lane Project – The final PSR/PR was signed by Caltrans. The Joint Powers Authority met on April 10th and approved the Administrative Code, assumptions for calculating dynamic pricing, project cost estimates and funding plan, schedule, scope of work for public education and marketing and the Enforcement Plan. Work on the 35% engineering continued. The JPB will next meet on June 12th.

I-680/I-880 Cross Connector Project – The ACTIA Board approved the transfer of sponsorship of the I-680/I-880 Cross Connector Project from the Santa Clara Valley Transportation Authority to the Alameda County CMA. The ACTIA program will provide \$940,000 in Measure B funds for the development of a Project Study Report for projects identified in the recently completed Cross Connector Study in the Fremont/Grimmer Blvd Corridor. Staff is in the process of completing the necessary agreements with ACTIA and selecting a consultant for the project.

I-580 Sound Wall Design – San Leandro and Oakland - The ACCMA Board approved CMA TIP funds for the design phase of soundwall projects in San Leandro and Oakland along I-580 in December. An RFP was released January 30th to secure consultant services to complete the Soundwall design. Staff is in the process of selecting a design team. The CMA Board is scheduled to take action at the April meeting to replace STIP funds with federal funds for the construction phase of the project (see agenda item 7.3).

Tri-Valley Triangle Analysis –The Policy Advisory Committee met on March 24 to review the progress of the study and approve the format for reporting the results of the quantitative and qualitative analyses for the seven alternatives. The TAC reviewed the initial results for four alternatives.

I-880 Corridor North –This project is primarily funded with RM 2 funds and will provide operational and safety improvements to northbound I-880 at 29th Avenue by reconfiguring the on- and off-ramps, as well as mitigating noise impacts of the project. The CMA's consultant team of Korve/RBF is performing the project development work. A public meeting to discuss the purpose of the project was held on January 18th at the local school with a general positive response to the project concept. A Preliminary Environmental Assessment Report (PEAR) has been prepared.

I-880 Corridor System Management Study – This study, sponsored by Caltrans, will provide a detailed evaluation of the I-880 Corridor to determine what transportation strategies make the most sense and when they should be implemented. Caltrans presented the preliminary findings of the study in terms of congested bottlenecks and potential causes of congestion along with a draft list of projects that will be used for performance evaluation to the CMA Board on January 23, 2006. The next steps are to identify complete corridor improvements and develop priorities and a sequencing plan using the microsimulation model.

Ardenwood Park & Ride Lot Project – This project will acquire a site near the Route 84 / Ardenwood Boulevard Interchange in Fremont to expand an existing park-and-ride lot, which is operating at capacity. The expansion is expected to provide over 100 new parking stalls for commuters. The project is funded solely by Regional Measure 2 (RM2). The CMA is co-sponsoring this project with AC Transit, and the CMA is taking the lead as the implementing agency. The environmental document for this project was approved in late 2005. Contract for design services has been awarded to Korve Engineering. The CMA's ROW consultant is developing a preliminary appraisal. Right of way acquisition activities will continue concurrently with the design phase.

BART to Silicon Valley (Silicon Valley Rapid Transit Corridor-SVRTC) – VTA temporarily withdrew from the FTA New Starts process and is working with FTA on the travel forecast and keeping them apprised on the financial plan. VTA will enter into a project development agreement with the FTA to re-enter the FTA process with a favorable rating. The EIS and Supplemental EIR, which includes modifications to the original project such as structural engineering options that provide cost saving options along the alignment, began summer 2005. The schedule for the EIR and EIS will be determined based on the project development agreement. The next Policy Advisory Board meeting will be held May 24, 2006.

Caldecott Tunnel 4th Bore - The Project Leadership Team (PLT), comprised of representatives from the ACCMA, CCTA and Caltrans met on April 19th to discuss the project development process for the project as well as a process for outreach to the public and other local agencies. The Executive Steering Committee is scheduled to meet on May 5th. Caltrans is finalizing the draft environmental document for release for public comment this Spring.

Community Based Transportation Plan: West Oakland, East Oakland, and Berkeley –The West Oakland Project Area Committee met on April 17th to provide their input on prioritizing the potential improvements. The draft report will be submitted to the CMA Board in May 2006. The East Oakland and Berkeley plans have had kick off meetings with CMA staff and the consultants.

MTC's Lifeline Transportation Program – CMA and ACTIA issued a joint Call for Projects for the Lifeline Transportation Program on March 1, 2006. The \$4.9 million grant program will fund innovative and flexible projects that address transportation barriers for low income communities in Alameda County. Applications are due April 28, 2006.

Dumbarton Rail Corridor – The consultants completed Phase 1 of the EIR/EIS process, focusing on alternatives analysis. Phase 2, which will analyze a limited number of rail alternatives and bus alternatives, will be complete June 2006. Segment G, which includes the Union City Station and the Shinn connection, has received environmental clearance. Caltrain will submit an application to MTC for RM2 funds for design for Segment G. The next PAC meeting will be held in May 2006.

Dynamic Ridesharing – The RideNow publicity event was held on March 29 from 7 to 9 a.m. and 4 to 6 p.m. at the Dublin-Pleasanton BART station. The event was covered by TV30 and articles were published in the April 2nd Contra Costa Times and the April 7th Pleasanton Weekly. KRON Channel 4 is scheduled to do a ride-along with a RideNow participant on April 24th. The Task Force would like to thank Supervisor Haggerty, BART Director Murray, Mayor Hosterman of Pleasanton, and Dublin Public Works Director Melissa Morten for attending the event. Despite computer glitches that halted train service after 5:30 p.m., the number of program participants increased from 56 before the March 29th event to 116 as of April 14th, an increase of 107%. Since the March 29th event, the number of ride matches made has increased by 153% for a total of 91 matches since program inception (55 between March 30th and April 14th). Between the November 15th, 2005 launch date and the March 29th publicity event, about 585 requests were made resulting in 36 ride matches. In the two weeks after the March 29th event (between March 30th and April 14th), an additional 240 requests have been made resulting in 55 additional ride matches. The consultant team is addressing issues having to do with parking enforcement and participants not following through with ride matches once they are made. The Pilot Project is scheduled to be complete by mid-May and an evaluation report presented to the Board at its June or July meeting.

Grand/MacArthur Corridor Transit Enhancements - CMA and AC Transit are the joint sponsors of the Regional Express Bus Program that is funded by Regional Measure 2. The work is being coordinated with the City of Oakland and Caltrans. A component of this project is the transit enhancements along the Grand/MacArthur Corridor starting at Eastmont Mall and ending at Maritime for the Bay Bridge access. This project includes a Transit Operations Analysis and design and construction of various traffic signal modifications along this corridor. In addition to the RM2 funds, there is also a \$205,000 TFCA grant to AC Transit for the installation of Transit Signal Priority components in the corridor. DKS Associates, the consultant for this project, has completed traffic engineering and transit analysis for the whole corridor with the system engineering analysis pending. The design activity for the seven intersections included in TFCA grant has started. Additional design activities are pending on options presented to the TAC by the consultant. Construction is expected to start in mid 2006 for the seven intersections currently funded for improvements. If funding for additional intersections is identified construction may be delayed until the fall to allow for completion of the additional design work.

Rapid Bus and SMART Corridor on International/Broadway/Telegraph - CMA staff is coordinating with AC Transit, the cities of Berkeley, Oakland, San Leandro, and Caltrans on the implementation of this new Rapid Bus Corridor. CMA staff has secured three separate TFCA grants totaling \$1.4 million to supplement Measure B funds provided to AC Transit by ACTIA as well as RM2 funds from MTC. This project has a very aggressive schedule and is being fast tracked to be completed in summer of 2006 for the start of service by AC Transit. CMA is

administering multiple procurement and construction contracts that are running concurrently to meet the aggressive schedule. Construction on Broadway is complete pending punch list items. Construction for the Telegraph Avenue segment is about 80% complete. Construction on the E 14th/International segment is 50% complete. AC Transit has requested assistance from the CMA on construction of 20th Street/Uptown transit improvements as well as for the design and installation of additional Closed Circuit TV (CCTV) cameras at the end of all Rapid Bus lines as supplemental work. Most of this added work is scheduled to be complete by summer of 2006. Based on a request by AC Transit, the CMA Board in February awarded the construction contract to NTK Construction, Inc. of San Francisco contingent upon issuance of a minor encroachment permit from the City of Oakland for the Uptown Transit Center on 20th Street between Broadway and Telegraph. The City of Oakland has issued all necessary permits and the construction contract will be signed shortly.

SMART Corridors Program – At its meeting of April 4, 2006, ACTAC reviewed and recommended a strategy to fund O&M activities of the East Bay SMART Corridors Program. The Plans & Programs Committee also discussed the matter at its March and April meetings and generally concurred with ACTAC's recommendations. After accounting for residual funds from prior commitments and AC Transit's and the west Contra Costa County cities' new commitments, approximately \$233,000 in additional funding is needed to continue the bare minimum program until the end of FY 06/07. Item 7.2 of the CMA Board reflects an updated funding plan. Republic Electric, Inc. has been selected to provide field equipment maintenance for the coming year. The public website address for the SMART Corridors is: <http://www.smartcorridors.com>.

CMA is working with emergency service providers on new incident management projects that have been funded with new grants and federal earmarks. CMA is also working with the City of Oakland to implement Transportation Management Centers (TMC) for the City and CMA for improved transportation Management. These efforts would also include improving the stability of the SMART Corridors network, which is beneficial to all participating agencies and public. MTC approved a grant application by CMA on behalf of all project partners along San Pablo corridors to optimize traffic signal timing plans for 115 intersections on San Pablo Avenue as well as many crossing arterial roadways connecting San Pablo Avenue with I-80.

San Pablo Avenue Corridor – The CMA will be taking the lead in implementing approximately \$2.2 million in improvements to the Rapid Bus stops funded through AC Transit and Measure B. The design of the improvements is 65% complete. The project name is "San Pablo Rapid Bus Stop Improvements". The construction is expected to start in fall of 2006 and would be completed by March of 2007.

Route 84 HOV – Dumbarton Corridor - MTC allocated \$2 million in RM 2 funds to the CMA for the design of HOV improvements on Route 84 in the Dumbarton Corridor. Caltrans is nearing completion of the design of the extension of the Westbound HOV lane from Newark Blvd to I-880. CMA staff is coordinating with Caltrans to develop a strategy (both funding and management) for the construction of this project. Once a construction implementation plan is finalized, the project could go to construction in 2006.

Transportation and Land Use Program – The first quarterly report was completed for the Transit Oriented Development (TOD) Fund Monitoring program for the TODs identified in the Countywide Transportation Plan. An RFQ was issued for the TOD Technical Assistance Program (TOD TAP), which will provide technical assistance for TOD project sponsors. The qualifications statements are due April 26th. The \$40,000 TOD TAP Program is jointly funded by CMA through MTC's Transportation and Land Use Program and ACTIA.

Guaranteed Ride Home Program – The program was initiated in April 1998. One hundred and thirty five employers and 3,731 employees are registered in the program, and 1,014 rides have been taken, including 48 rental car rides in the countywide rental car program. The average cost per taxi trip is now \$81.12. The average trip length is 39.09 miles. The average trip distance for a rental car ride is 83 miles and the cost per rental car used remains at \$55. Using the rental car saves \$77 for each average 65-mile trip. The Draft Annual Evaluation Report will be submitted to the CMA Board in May 2006.

TravelChoice Program – Over 70 individual educational pieces of literature have been developed to distribute to 6,500 households in Alameda and Fruitvale. Pre-project surveys have begun and approximately 14% of the project households have responded. Test calls are underway to assure that the outreach script is ready to run the day the project begins. The program will begin with initial calls in April.

Countywide Bicycle Plan – At the April 4th Bicycle Workshop, ACTAC discussed the draft list of High Priority projects, criteria for identifying projects in Priority Transit Zones and for Maintenance and Rehabilitation of the Existing Bicycle Network, and Routine Accommodation. The next Bicycle Plan Update Workshop will be held May 2nd at 11 a.m. before the ACTAC meeting. At this meeting, the group will discuss the financially constrained network and high priority projects and review draft Chapters 3 and 5.

Environmental Documents/General Plan Amendments Reviewed

Since my last report, staff has reviewed two environmental documents, notices of preparation or general plan amendments and a response was prepared for one of them, and it is attached.

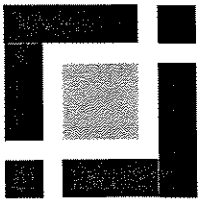
CMA Board and Committee Meeting Dates

Board meetings will be at 3:30 p.m. Plans & Programs Committee meetings will be at 10:30 a.m. in the CMA offices in Oakland unless otherwise noted. Administration & Legislation Committee meetings will be at 9:30 a.m. in the CMA offices in Oakland unless otherwise noted.

<u>CMA Board</u>	<u>Plans & Programs</u>	<u>Administration & Legislation</u>
May 25, 2006	May 8, 2006	May 8, 2006
June 22, 2006	June 12, 2006	June 12, 2006
July 27, 2006	July 17, 2006	July 17, 2006
September 28, 2006	September 11, 2006	September 11, 2006
October 26, 2006	October 9, 2006	October 9, 2006

Voice Mail Numbers for Staff

10	Myrna Portillo	19	Christina Muller
11	Jean Hart	21	Yvonne Chan
12	Dennis Fay	22	Agnas Gooden
13	Diane Stark	24	Saravana Suthanthira
14	Cyrus Minoofar	26	Beth Walukas
15	Matt Todd	27	Stefan Garcia
16	Frank Furger	32	Martin Lanner
17	Vicki Winn	36	Claudia Magadan



Lynn M. Suter

and Associates

Government Relations

April 20, 2006

TO: Dennis Fay, Executive Director
Alameda County Congestion Management Agency

FR: Lynn M. Suter & Associates

RE: Legislative Update

Bonds on Delayed Transmission: Legislative leaders from all four caucuses continue to meet to discuss a "cleaner" bond package for the November ballot. The Governor has not been included in the discussions. The goal now is April 30, which is the deadline to submit signatures for verification for the November ballot. This package will lack the Christmas Tree aspects of the earlier effort, and be limited to school facilities and levee repairs, both of which have already passed by the Assembly, plus congestion relief and transit.

When less is more: It appears that leadership has reached a conceptual agreement on funding schools, levees, and transportation, and they are considering a package in the \$30 billion range. The focus now is on the details, and in particular how the transportation funds are divvied-up. While hope still remains that some form of housing and homeless facilities will remain in the bond package, there is little hope for seismic for hospitals, funding for urban park and Conservancies throughout the state.

Finding Uncommon Ground: As a back-up plan, environmentalists are working on their own bond for the November ballot. Like Props 40 and 50, the effort is financed by environmental groups and headed up by Joe Caves. This proposal would provide nearly \$6 billion for various water quality and open space programs, not including dams.

State Budget: The Budget Subcommittees from both houses are gearing up. The Senate Budget Subcommittee #4 commenced its review of transportation spending. While the Subcommittee took action on several minor noncontroversial items, the bulk of the items were held open for further action after the May Revise.

The \$920 million partial repayment of a Prop 42 loan is one of the items held open. The Committee analysis questioned the Governor's decision not to allocate the repayment proportionally to each account as prescribed in statute. The Governor's budget proposes to amend current law to shift a portion of the early repayment from the TCRP program and the entire Public Transportation Account share to the STIP and local streets and roads.

Senate Sub 4 also held open the State Transit Assistance allocation. The budget currently allocates \$235 million to STA for the 2006-07 fiscal year. However, with gas prices climbing, Sub 4 held this item pending release of the May Revise, which usually updates the revenue forecast for this program.

The Assembly Budget Subcommittee #5 is scheduled to review transportation spending next week. It is expected that Sub 5 will also put over many of the same items until after the May Revise.

Legislation

Bill	Topic	Status	Position
AB 1974 (Walters) I-02/09/2006	High-occupancy vehicle lanes.	04/17/2006-In committee: Set, first hearing. Hearing canceled at the request of author. (02/16/2006-A TRANS.)	Watch
	This bill would authorize any county board of supervisors to authorize the use of HOV lanes on the state highway system within the county by any highway vehicle, providing that this use is consistent with federal law.		
AB 2113 (Aghazarian) I-02/17/2006	Transportation: goods movement.	02/21/2006-From printer. May be heard in committee March 23. (02/17/2006-A PRINT)	Watch
	<p>AB 2113 is a spot bill that the author does not intend on moving. The bill was originally intended to be used as a vehicle for implementing the infrastructure bonds. Given the importance of the I-580/238/880 corridor to Bay Area and the Central Valley, the author is willing consider other uses for this bill. However, with deadlines approaching we must act quickly.</p> <p>As introduced this bill would declare the intent of the Legislature to enact legislation to facilitate improvement in the movement of goods in northern California, specifically to and from the Port of Oakland and the Central Valley region.</p>		

AB 2290 (DeVore) A-04/04/2006	State highway facilities designated for the exclusive use of commercial trucks: user fees.	04/17/2006-In committee: Set first hearing. Failed passage	Watch
	<p>AB 2290 failed passage in the Assembly Committee on Transportation. The main objections expressed were on late amendments that would have allowed the use of triple-trailers on the proposed truck only toll lanes. If this provision is removed the bill will likely be approved.</p> <p>This bill would authorize Caltrans or regional transportation entities to enter into franchise agreements with public and private entities to construct truck toll lanes along state highways. The bill would authorize user fees to be collected during the franchise agreement period, and would authorize the California Transportation Commission to approve continuation of those fees after the termination of the agreement.</p>		
AB 2295 (Arambula) I-02/22/2006	Transportation capital improvement projects.	04/19/2006-Read second time. To Consent Calendar. (04/19/2006-A CONSENT CALENDAR)	Watch
	AB 2295 was unanimously approved by the Assembly Transportation Committee. This bill would state that local road rehabilitation projects are eligible for the regional share of STIP funds.		
AB 2361 (Huff) A-03/28/2006	Transportation: federal funds: border infrastructure funds.	04/18/2006-From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 12. Noes 0.) (April 17). (04/18/2006-A APPR.)	Watch
	<p>AB 2361 was approved by the Assembly Transportation Committee last week.</p> <p>This bill would exempt from the county share formula requirements any SAFETEA-LU funds dedicated for the coordinated border infrastructure program. In addition, this bill would require these funds to be programmed by the CTC through a competitive grant program separate from the STIP. Priority would</p>		

	<p>be given to projects that reduce congestion and facilitate goods movement between the Mexico border and other regions.</p> <p>This bill is similar to SB 1282 (Ducheny).</p>		
AB 2444 (Klehs) A-04/06/2006	Congestion management and motor vehicle environmental mitigation fees.	04/18/2006-From committee: Do pass, and re-refer to Com. on L. GOV. Re-referred. (Ayes 7. Noes 6.) (April 17). (04/18/2006-A L. GOV.)	Sponsor
	<p>AB 2444 was narrowly approved by the Assembly Transportation Committee. The Republican members were joined by Assemblywoman Carol Liu in opposing this proposal.</p> <p>This bill would authorize the congestion management agencies in the 9 Bay Area counties, to impose an annual fee of up to \$5 on motor vehicles registered within those counties. The fee could only be imposed if approved by a 2/3 vote of the agency's governing board and used congestion relief projects.</p> <p>As amended, this bill would also authorize the Bay Area Air Quality Management District to impose a regional \$5 registration fee that would be split between the air district and the regional water board for projects that address the mitigate the impact vehicles have on the environment. The bill also requires a 75% return to source in the expenditure of the regional funds in each county.</p>		
AB 2538 (Wolk) I-02/23/2006	Transportation funds: planning and programming regional agencies.	03/13/2006-Referred to Com. on TRANS. (03/14/2006-A TRANS.)	Watch
	<p>This bill would authorize each transportation planning agency or county transportation commission to request and receive up to 5% of regional STIP funds for project planning, programming, and monitoring. The bill would change the references to "regional improvement funds" to instead refer to "county shares."</p>		
AB 2621 (Strickland) I-02/24/2006	Sales and use taxes: exemption: gasoline.	04/17/2006-In committee: Set, first hearing. Hearing canceled at the request	Watch

		of author. (03/14/2006-A REV. & TAX)	
	<p>The initial hearing for AB 2621 was canceled and rescheduled for May 8.</p> <p>This bill would exempt motor vehicle fuel from the sales and use tax. This would eliminate the funding source for the Public Transportation Account, which includes the State Transit Assistance program, as well as Proposition 42.</p>		
AB 2630 (Benoit) A-03/27/2006	Grade separation project funding.	03/28/2006-Re-referred to Com. on TRANS. (03/28/2006-A TRANS.)	Watch
	<p>This bill revises two of the restrictions on allocating state funds for grade separation projects. First, the bill would allow CTC to grant an agency two grade separation projects within a 10 year period. Second, the bill would allow a local entity to pay the 10% match contribution that is currently required by railroad corporations. This would be in addition to a local entity's existing 10% fund match requirement.</p>		
AB 2873 (Wolk) I-02/24/2006	County sales and use taxes: rate increase	03/30/2006-Referred to Coms. on L. GOV. and REV. & TAX. (03/30/2006-A L. GOV.)	Watch
	<p>AB 2873 is the reintroduction of SB 1020 (Migden) from last session, which allowed a county to essentially double the TDA sales tax rate that is dedicated to public transit operations.</p> <p>This bill would authorize a county or city and county to impose an additional 1/4 of 1% sales and use tax rate under the Bradley-Burns Law. The revenue would be deposited into a local transportation fund, as specified. This bill would also require the sales tax increase to be subject to any applicable voter-approval requirements in California Constitution.</p>		
AB 3031 (Houston) A-04/19/2006	State highways: seismic retrofit and replacement projects.	04/19/2006-From committee chair, with author's amendments: Amend, and re-refer to Com. on TRANS. Read second time and	Watch

		amended. (04/19/2006-A TRANS.)	
	<p>AB 3031 was amended yesterday to exempt the Fifth Avenue Overhead and the High Street Overhead seismic retrofit projects on I-880 from provisions of CEQA if certain conditions are met. This bill is sponsored by Caltrans.</p> <p>The bill would exempt these projects from CEQA if Caltrans meets the following requirements:</p> <ul style="list-style-type: none"> • Conducts two public meetings in the vicinity of the project • Complies with Caltrans' construction rules and any Bay Area Air Quality Management District rules for construction equipment. • Require contractors to comply with control measures for Construction Emissions of PM-10. • To the extent feasible use equipment powered by clean diesel or alternative fuels. • Limit the exposure of the workers and nearby residents to vehicle air emissions. 		
SB 1282 (Ducheny) A-03/29/2006	Transportation: federal funds: border infrastructure program.	04/12/2006-Set for hearing April 24. (04/05/2006-S APPR.)	Watch
	<p>This bill specifies that federal funds for the coordinated border infrastructure program (CBI) shall be included, but separately identified, in the fund estimates for the STIP, ITIP, and in the STIP adopted by the CTC. These funds would also be exempt from the allocation formulas.</p> <p>Under existing law the CBI funds would be allocated pursuant to the STIP process, and these funds would count against the recipient's county share allocation.</p>		
SB 1611 (Simitian) I-02/24/2006	Congestion management fees.	03/27/2006-Set for hearing April 25. (03/09/2006-S T. & H.)	Support
	<p>This bill would authorize a congestion management agency to impose an annual fee of up to \$20 on each motor vehicle registered within the county for transportation projects and programs.</p> <p>The bill would require the adoption of an expenditure plan along with associated performance measures and a budget to be adopted before the fee is imposed. The bill would require the resolution to be adopted by a 2/3 vote of the governing board.</p>		

SB 1619 (Dutton) A-03/27/2006	Sales and use taxes: exemptions: fuel and petroleum products: air common carriers.	03/30/2006-Set for hearing April 26. (03/09/2006-S REV. & TAX)	Watch
	<p>This bill would exempt air common carriers from paying sales tax on the cost of fuel that exceeds \$1.13 per gallon. This exemption would take affect on January 1, 2007 and sunset on January 1, 2012.</p> <p>The bill would not exempt air common carriers from paying local sales taxes unless the city, county or district elects to exempt these sales from the local tax. While the exemption on local taxes is a local option, it is unclear if the application of a local transportation sales tax is a local option.</p>		
SB 1703 (Lowenthal) I-02/24/2006	California Transportation Commission.	04/19/2006-From committee: Do pass. (Ayes 8. Noes 3.) (03/09/2006-S T. & H.)	Watch
	<p>SB 1703 was approved by the Senate Committee on Transportation & Housing.</p> <p>This bill would change the composition of the California Transportation Commission to consist of 7 members appointed by the Governor, 1 member appointed by the Senate Committee on Rules, and 1 member appointed by the Speaker of the Assembly, plus the 2 ex officio nonvoting legislative members.</p>		
SB 1791 (Margett) I-02/24/2006	Highways: exclusive-use or preferential-use lanes.	03/09/2006-To Com. on T. & H. (03/09/2006-S T. & H.)	Watch
	<p>This bill would request the University of California to conduct a study in consultation with Caltrans evaluating the effectiveness of different types of highway lanes. This study is similar to Senator McClintock's efforts to compare the effectiveness of HOV lanes, HOT lanes, and mixed flow lanes.</p>		
SB 1812 (Runner) A-03/28/2006	Department of Transportation: surface transportation project delivery pilot program.	04/18/2006-Read second time. Amended. Re-referred to Com. on JUD. (04/18/2006-S JUD.)	Watch
	<p>As approved by the Senate Committee on Transportation & Housing, SB 1812 was amended to add a sunset date of January 1,</p>		

	<p>2009, and Caltrans must submit a report to the Legislature by January 1, 2008, on the successes and failures of this pilot program.</p> <p>SB 1812 will be heard next week in the Senate Committee on Judiciary.</p> <p>This bill would allow California to participate in a federal pilot program that grants Caltrans to authority to approve FHWA environmental documents. Authorizing Caltrans to approve federal environmental documents should accelerate project delivery.</p>
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Copeland Lowery Jacquez Denton & White LLC

Specializing in Government Relations

MEMORANDUM

TO: Dennis Fay, Jean Hart and Frank Furger
ACCMA

FROM: Jim Copeland & Emily Bacque
Copeland Lowery Jacquez Denton & White

RE: Washington, D.C. Update

DATE: April 19, 2006

CLJ continues to work with Hill staff on ACCMA's FY2007 appropriations priorities. The FY 2007 appropriations process will begin shortly, regardless of whether the House and Senate are able to pass a FY07 Budget. We expect action in the House Appropriations Subcommittees to begin in May, shortly after the House and Senate return from a two-week Easter recess. Congress was in session for two weeks before the two week district work period. During that time the Senate tried to pass an immigration reform bill and the House focused on its FY07 Budget Resolution.

FY07 Budget Resolution

As reported earlier, the Senate approved its version of a Fiscal Year 2007 budget resolution by a narrow vote of 51-49 on Thursday, March 16. The measure adds roughly \$16 billion to the domestic discretionary spending level recommended by the President. Although the President's budget request called for \$65 billion in mandatory spending program cuts over five years, the Senate rejected even a modest attempt to slow those programs. Overall, the Senate-passed Budget Resolution calls for \$2.8 trillion in total spending for FY 2007.

The House Budget Committee marked up its budget resolution on March 29. The resolution includes an \$873 billion cap on discretionary spending and would cut \$6.8 billion from mandatory spending programs, which conservatives view as far too low a number. They want to aggressively continue the Budget Reconciliation process with more cuts to mandatory spending.

The Republican leadership was forced to pull the FY07 Budget Resolution off the floor after it was clear they did not have the votes to pass the legislation. A struggle ensued between conservatives, moderates and appropriators within the Republican Party. The Republican leadership reached an agreement with conservatives that would have required any non-defense emergency spending over \$4.3 billion be approved by the Budget Committee. Conservatives also wanted to adopt budget process reforms that would have included changes to earmarks. Appropriations Chairman Jerry Lewis opposed both of these provisions because they would weaken his Committee's authority. He urged all Republicans on the Appropriations Committee to vote against the resolution unless those provisions were removed. In addition, moderates wanted an increase of \$7.2 billion for domestic programs which conservatives opposed. All Democrats were planning to oppose the legislation.

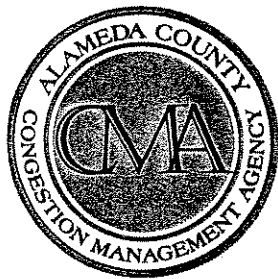
Majority Leader Boehner has stated he will continue negotiations while Congress is in recess and the House will return to the Budget Resolution at the end of April. However, even if the House is able to pass a budget, it may be difficult to reach a deal with the Senate. If the House is able to pass a budget, it will almost certainly adhere to Bush's proposed \$873 billion spending cap since GOP conservatives are unwilling to consider anything higher. The Senate, meanwhile, is on record as favoring more discretionary spending, having adopted amendments that added \$9 billion in discretionary spending over Bush's level and another \$7 billion in advance appropriations to make room for even more discretionary spending.

A budget resolution sets the overall cap for discretionary spending; however, it is not necessary for passage of annual appropriations bills. While the Appropriations Committees are bound by the spending cap set in a budget resolution, Appropriations ultimately determines how that funding will be allocated. A discretionary spending cap can also be set by each chamber through a "deeming" resolution. This was done in 1998, 2003, and 2004 when Congress was unable to pass a budget.

FY07 Appropriations and Lobbying Reform Proposals

On Thursday, March 16, House leaders unveiled legislation (H.R. 4975) for overhauling the way members interact with the lobbying community. The proposal would require more transparency in the earmark process but wouldn't provide a mechanism for stripping earmarks from a bill. The proposal would require earmark sponsors to be identified in committee reports and any earmarks added in conference would have to be identified in those reports. In addition, the House bill would ban privately funded travel for the remainder of 2006. The Judiciary, Government Reform, Rules and House Administration committees held mark ups on certain sections of the bill the week of April 3. The measure differs from the Senate lobbying bill, which applies earmark restrictions not only to appropriations bills but also to authorization and tax bills. The draft House bill applies earmark restrictions only to appropriations bills.

On March 29, the Senate voted 90-8 to change the way law makers and lobbyists conduct business. The legislation (S.2349) bans meals and gifts from lobbyists and requires a review and full disclosure on privately funded travel by Members. In addition, earmarks added in conference to appropriations or authorization bills would be subject to points of order on the floor. Sixty votes would be needed to waive any objections. Conference reports would be posted on the Internet at least 48 hours before a Senate vote. Bills, amendments and conference reports would identify the Senator responsible for each earmark.



ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

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Mayor
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City of Albany
Mayor
Alan Maris

BART
Director
Thomas Blalock

City of Berkeley
Councilmember
Kris Worthington

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City of Emeryville
Mayor
Ruth Alden

City of Fremont
Mayor
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City of Piedmont
Councilmember
Jeff Wieler

City of Pleasanton
Mayor
Jennifer Hosterman

City of San Leandro
Mayor
Shelia Young

City of Union City
Mayor
Mark Green

Executive Director
Dennis R. Fay

April 14, 2006

Mr. Scott Gregory
Contract Planner c/o Gary Patton
Deputy Director of Planning and Zoning
City of Oakland Community and Economic Development Agency
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612

SUBJECT: Comments on the Draft Environmental Impact Report (DEIR) for the
Kaiser Permanente Oakland Medical Center Replacement Project

Dear Mr. Gregory:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Kaiser Permanente Oakland Medical Center Replacement Project. The project site is located generally at the intersection of Broadway and MacArthur in Oakland. The proposed project is the phased redevelopment of the existing Kaiser Permanente Oakland Medical Center with a comprehensively planned state-of-the-art Medical Center campus of approximately 1.78 million square feet on approximately 21 acres. The major components of the project include the development of a new 165,000 square foot Medical Services Building in the new Outpatient Services Zone, and parking structures in both the Outpatient Services Zone and the MB Center Zone; a replacement 346-bed, 740,000 square foot hospital and 60,000 square foot Central Utility Plant in the MB Center Zone (replacing the existing 346-bed hospital); and conversion of the existing Hospital Tower, in the Outpatient Conversion Zone, to Outpatient Services. Parking structures adequate to meet the parking demand would also be developed and distributed throughout the Medical Center. The proposed project would also meet the operational and legal mandates of Senate Bill 1953, which requires the replacement or seismic retrofitting of existing hospitals before January 2013. The project development is phased over 14 years starting from 2006 and completion by 2020.

The ACCMA respectfully submits the following comments. Where possible page numbers in the DEIR are referenced.

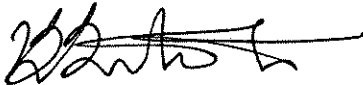
- Appendix C21-C24 - CMA Evaluation-Analysis Results: Broadway is a MTS roadway and the project site is located on both sides of Broadway between I-580 and 38th Ave. For the purposes of the CMP analysis on MTS roadways, Broadway has been divided into four segments in the report and one of the segments, between I-580 and 40th Street, passes through the project site. Since the portion of Broadway that would be

significantly impacted by this project is the segment between I-580 and MacArthur Blvd., it is requested that the segment between I-580 and 40th Street be split into two, at MacArthur Blvd., and analyzed and the revised analysis be incorporated into the report.

- Trip Generation estimation: Please include the mode choice survey results from the Oakland Kaiser facility in the environmental document. For the purposes of estimating the trip generation from the project site, data collected from the existing Oakland Kaiser Center has been used in the DEIR. The report also states that the trip generation data from the San Francisco Kaiser Facility and the Institute of Transportation Engineers (ITE) have not been used since the Oakland Kaiser facility is unique in terms of operating characteristics of the site, including the accessibility to the regional transit such as BART, and therefore not comparable with other sites. Since the trip generation rates observed at the Oakland facility are lower than the data in the ITE report and from the San Francisco facility, it is important to provide supporting documentation for the assumption that the Oakland Kaiser facility will have more transit users than the other facilities. Has any other Kaiser facility data been compared for this purpose?

Thank you for the opportunity to comment on this DEIR. Please do not hesitate to contact me at 510/836-2560 ext. 24 if you require additional information.

Sincerely,



Saravana Suthanthira
Associate Transportation Planner

cc: file: CMP - Environmental Review Opinions - Responses - 2006

**CMA BOARD
MINUTES OF MARCH 23, 2006 MEETING
Oakland, California**

Vice Chair Haggerty convened the meeting of the CMA Board at 3:30 p.m.

1.0 ROLL CALL

Muller conducted roll call to confirm a quorum. The Roll Call Roster is attached.

2.0 PLEDGE OF ALLEGIANCE

3.0 PUBLIC COMMENT

There were no public comments.

4.0 CHAIR'S/VICE-CHAIR'S REPORT

Vice Chair Haggerty skipped to Agenda Item 5.0 to await the Chair's arrival.

5.0 EXECUTIVE DIRECTOR'S REPORT

Fay reviewed the following items: Letter from Robert Allan regarding the I-580 HOV Lane, Lynn Suter's report dated March 16, 2006 and a response letter to Secretary Sunne Wright McPeak regarding the Draft Goods Movement Action Plan, dated 2-17-06.

Chair Reid then returned to Agenda Item 4.0.

4.1 Appointment to ACTIA Warm Springs BART Extension Policy Advisory Committee
Blalock moved to appoint Mayor Wasserman of the City of Fremont as the member and Councilmember Dutra as the alternate; a second was made by Cooper. The motion passed unanimously.

6.0 CONSENT CALENDAR

- 6.1.1 Meeting Minutes February 10, 2006**
- 6.1.2 Meeting Minutes February 23, 2006**
- 6.2 Financial Reports: February 2006**
- 6.3 Plans & Programs Committee**
- 6.3.1 CMA Exchange Program: Quarterly Status Report**
- 6.4 Administration & Legislation Committee**
- 6.4.1 2004-05 Annual Report**
- 6.4.2 Tri Valley Triangle Analysis: Contract Amendment**
- 6.4.3 I-580 Sound Wall Projects in Oakland and San Leandro: Authorization for Design Costs**
- 6.4.4 I-580 Corridor: Traffic Management Plan**

A motion was made by Cooper approve the Consent Calendar; a second was made by Worthington. The motion passed unanimously.

7.0 PLANS & PROGRAMS COMMITTEE REPORTS

7.1 CMA Transportation Improvement Program (TIP): I-580 Sound Wall Design Projects
Todd noted that the Board approved \$1,017,000 of CMA TIP funds to complete the design of freeway soundwalls along I-580 in San Leandro (Estudillo to 141st) and Oakland (14th and Ardley). The CMA has received consultant proposals to complete this design work. Based on a review of the Caltrans work completed to date and considering the time estimated to complete the work that is in the consultant proposals, staff proposes to adjust the budget required to complete the design. Based on estimated hours to complete the work in the consultant proposals, it is recommended that the Board approve an additional \$1,233,000 of CMA TIP funds be programmed to the project for a total funding package of \$2,250,000. A motion was made by Young to approve staff request for an additional \$1,233,000 of CMA TIP funds be programmed to the project for a total funding package of \$2,250,000; a second was made by Blalock. The motion passed as follows: (30 – aye, 0 – nay, 4 – absent, 0 – abstain) AC Transit (1) – aye, Alameda County (3) – aye, City of Alameda (1) – aye, City of Albany (1) – aye, BART (1) – aye, City of Berkeley (2) – aye, City of Dublin (1) – aye, City of Emeryville (1) – aye; City of Fremont (4) – aye, City of Hayward (3) – aye, City of Livermore (2) – absent, City of Newark (1) – absent, City of Oakland (8) – aye, City of Piedmont (1) – absent, City of Pleasanton (1) – aye, City of San Leandro (2) – aye, City of Union City (1) – aye.

8.0 ADMINISTRATION & LEGISLATION COMMITTEE REPORTS

8.1 FY 2006-2007 Budget and Work Program

Fay reviewed the FY 2006/2007 Budget and Work Program. A motion was made by Haggerty to approve the FY 2006/2007 Budget and Work Program; a second was made by Worthington. The motion passed as follows: (30 – aye, 0 – nay, 4 – absent, 0 – abstain) AC Transit (1) – aye, Alameda County (3) – aye, City of Alameda (1) – aye, City of Albany (1) – aye, BART (1) – aye, City of Berkeley (2) – aye, City of Dublin (1) – aye, City of Emeryville (1) – aye; City of Fremont (4) – aye, City of Hayward (3) – aye, City of Livermore (2) – absent, City of Newark (1) – absent, City of Oakland (8) – aye, City of Piedmont (1) – absent, City of Pleasanton (1) – aye, City of San Leandro (2) – aye, City of Union City (1) – aye.

8.2 Advocacy Principles: Toll Facilities

Fay reviewed the principles to guide the Alameda County CMA's advocacy relative to State legislation regarding toll facilities. Toll facilities could include toll roads, high occupancy toll (HOT) lanes, and other forms of pricing access to highway facilities. Blalock moved approval of the principles; a second was made by Haggerty. The motion passed unanimously.

8.3 AB 2444 (Klehs) and SB 1611 (Simitian): Vehicle Registration Fees

A motion was made by Young to support AB 2444 (Klehs) and seek amendments; a second was made by Worthington. The motion passed unanimously. A motion was made by Haggerty to support SB1611; a second was made by Blalock. The motion passed unanimously.

8.4 Space Needs for Growth

Fay advised the Board that in February the Board authorized several new positions and funding to build out the existing leased space to accommodate the growth. Since the February

Board meeting it has come to our attention that a small office area adjacent to our existing offices may become available. Leasing this additional space may avoid the initial cost to build out the existing space. In addition, CMA and ACTIA are discussing the possibility of co-occupancy on the third floor of the CMA office building. Both agencies are working with their prospective real estate brokers and will continue to research this as an option. Staff recommends that the Board authorize the Administrative and Legislative Committee to take action at the April committee meeting, as appropriate. A motion was made by Haggerty supporting staff recommendations; a second was made by Blalock. The motion passed unanimously.

9.0 ALTAMONT COMMUTER EXPRESS: 2006-7 SERVICE PLAN AND BUDGET

Todd introduced SJRRC staff Brian Schmidt and Gregg Baxter who reviewed the operation and the service plan that is being proposed for the upcoming fiscal year of 2006-7. A motion was made by Haggerty to accept the report and to include the SJRRC memo into the CMA Board consent calendar for future meetings; a second was made by Blalock. The motion passed unanimously.

10.0 OTHER BUSINESS

There were no reports.

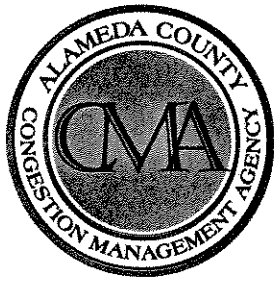
11.0 ADJOURNMENT

Chair Reid adjourned the meeting until *Thursday, April 27, 2006 at 3:30 p.m.*

Attest By:



Christina Muller, Board Secretary



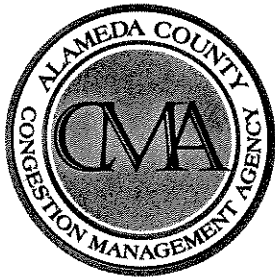
ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX: (510) 836-2185
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

CMA BOARD MEETING ROSTER OF MEETING ATTENDANCE MARCH 23, 2006 CMA OFFICES OAKLAND, CALIFORNIA

CMA BOARD MEMBERS	Initials	ALTERNATES	Initials
Larry Reid, Chair – City of Oakland	<i>[Signature]</i>	N/A	
Scott Haggerty, Vice Chair – Alameda County Supervisor	<i>[Signature]</i>	N/A	
Dolorez Jaquez – AC Transit	<i>[Signature]</i>	Dennis Hayashi– AC Transit	
Tom Blalock - BART	<i>[Signature]</i>	Zoyd Luce, BART	
Nate Miley – Alameda County Supervisor	<i>[Signature]</i>	N/A	
Beverly Johnson – City of Alameda	<i>[Signature]</i>	Frank Matarrese, City of Alameda	
Allan Maris, City of Albany	<i>[Signature]</i>	Farid Javandel, City of Albany	
Kriss Worthington – City of Berkeley	<i>[Signature]</i>	Tom Bates - City of Berkeley	
Janet Lockhart, City of Dublin	<i>[Signature]</i>	Kasie Hildenbrand, City of Dublin	
Ruth Atkin – City of Emeryville	<i>[Signature]</i>	Ken Bukowski – City of Emeryville	
Robert Wasserman – City of Fremont	<i>[Signature]</i>	Dominic Dutra – City of Fremont	
Roberta Cooper – City of Hayward	<i>[Signature]</i>	Olden Hensen - City of Hayward	
Marshall Kamena – City of Livermore		Marjorie Leider – City of Livermore	
Luis Freitas – City of Newark		Ana Apodaca – City of Newark	
Jeff Wieler – City of Piedmont		Dean Barbieri – City of Piedmont	
Jennifer Hosterman – City of Pleasanton	<i>[Signature]</i>	Matt Sullivan – City of Pleasanton	
Shelia Young – City of San Leandro	<i>[Signature]</i>	Orval Badger – City of San Leandro	
Mark Green – City of Union City	<i>[Signature]</i>	Manuál Fernandez – City of Union City	

CMA STAFF	
Dennis Fay, Executive Director	<i>[Signature]</i>
Frank Furger, Deputy Director	<i>[Signature]</i>
Jean Hart, Deputy Director	
Cyrus Minoofar, Principal Trans. Engineer	
Matt Todd, Senior Trans Engineer	<i>[Signature]</i>
Diane Stark, Senior Trans Planner	
Saravana Suthanthira, Assoc Trans Planner	
Yvonne Chan, Accounting Manager	<i>[Signature]</i>
Christina Muller, Office Mgr, Board Secretary	<i>[Signature]</i>
Zack Wasserman, Wendel, Rosen, Black & Dean	
Neal Parish, Wendel, Rosen, Black & Dean	<i>[Signature]</i>
Stefan Garcia, Principal Trans Engineer	<i>[Signature]</i>
Beth Walukas	



ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

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CMA BOARD

ROSTER OF ATTENDANCE

MARCH 23, 2006

CMA OFFICE

Oakland, CALIFORNIA

	NAME	JURISDICTION/ ORGANIZATION	PHONE #	E-MAIL
1.	<i>Note: Kelly</i>			
2.	<i>Brian Schmitt</i>	<i>STARRC</i>	<i>209 944-6241</i>	<i>brian@acerail.com</i>
3.	<i>Gregg Baxter</i>	<i>STARRC</i>	<i>209-944-6250</i>	<i>gregg@acerail.com</i>
4.	<i>Joanne Parker</i>	<i>BART</i>	<i>510-287-4795</i>	<i>jparker@bart.gov</i>
5.	<i>JEFF KNOWLES</i>	<i>PLEASANTON</i>	<i>925 931 5677</i>	<i>JKNOWLES@CI.PLEASANTON.CA.GOV</i>
6.	<i>Dawn Argue</i>	<i>ALACOS#1</i>	<i>510-272-6691</i>	<i>dawn.argue@acgov.org</i>
7.	<i>Tina Spencer</i>	<i>AC TRANSIT</i>	<i>510.891.4754</i>	<i>tspencer@actransit.org</i>
8.	<i>ART GEEN</i>	<i>ALACOS, TAXPAYERS ASSN.</i>	<i>893-3341</i>	
9.	<i>CHARVIE CAMERON</i>	<i>HAYWARD</i>	<i>NES-</i>	
10.	<i>Dominic Dutra</i>	<i>FREMONT</i>	<i>510 366-9931</i>	<i>ddutra@dcgdev.com</i>
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**ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY
TOTAL REVENUE & EXPENDITURE REPORT**

April 27, 2000
Agenda Item 6.

March 2006

Project Description	Period to Date Actual	Year to Date Actual	FY 2005/2006 Budget	% Used	Budget Variance
Fees - City of Alameda	-	17,258	23,010	75.00%	5,753
Fees - City of Oakland	-	94,916	126,554	75.00%	31,639
Fees - City of Piedmont	-	2,565	3,420	75.00%	855
Fees - City of Pleasanton	-	15,464	20,619	75.00%	5,155
Fees - City of San Leandro	-	18,766	25,021	75.00%	6,255
Fees - City of Union City	-	16,498	21,597	76.39%	5,099
Fees - Alameda County	-	238,758	318,344	75.00%	79,586
Fees - City of Albany	-	3,866	5,154	75.00%	1,289
Fees - City of Berkeley	-	24,089	32,118	75.00%	8,030
Fees - City of Dublin	-	8,826	11,769	74.99%	2,943
Fees - City of Emeryville	-	1,766	2,354	75.00%	589
Fees - City of Fremont	-	48,148	64,197	75.00%	16,049
Fees - City of Hayward	-	33,327	44,436	75.00%	11,109
Fees - City of Livermore	-	18,094	24,125	75.00%	6,031
Fees - City of Newark	-	10,123	13,497	75.00%	3,374
Revenue - Program	4,355,738	17,321,313	32,429,836	53.41%	15,108,523
Revenue - Interest	1,811	19,513	20,000	97.56%	487
Revenue - Miscellaneous	1,924	14,831	20,000	74.16%	5,169
Total Revenue	\$ 4,359,473	\$ 17,908,118	\$ 33,206,051	53.93%	\$ 15,297,933
Salaries and Wages	103,771	844,045	1,160,000	72.76%	315,955
Payroll Taxes	1,567	18,204	35,000	52.01%	16,796
Employee Benefits	42,388	364,208	518,500	70.24%	154,292
Workers Comp	1,145	13,482	25,000	53.93%	11,518
Payroll Services	473	4,761	5,000	95.21%	239
Office Supplies	2,219	21,746	40,000	54.37%	18,254
Office Expenses	2,046	26,550	45,000	59.00%	18,450
Computer Support	4,248	20,871	40,000	52.18%	19,129
Website Services	3,676	6,346	15,000	42.31%	8,654
Office Space	27,487	222,859	290,000	76.85%	67,141
Business Insurance	-	9,236	10,000	92.36%	764
Prof Services - Legal	4,356	42,067	97,000	43.37%	54,933
Prof Services - Audit/Acctg.	2,000	28,167	60,000	46.94%	31,834
Accounting Software Support	-	2,787	4,100	67.98%	1,313
Temporary Employee	3,008	28,532	30,000	95.11%	1,468
Interest Expenses	-	25,253	50,000	50.51%	24,747
Dues and Subscriptions	145	2,066	3,000	68.86%	934
Postage/Delivery	1,000	8,088	20,000	40.44%	11,912
Reproduction	581	2,902	5,000	58.04%	2,098
Advertising	26,865	30,208	5,000	604.16%	(25,208)
Telephone Expenses	1,593	12,741	12,000	106.17%	(741)
Equipment Lease	1,859	16,416	30,000	54.72%	13,584
Meeting Food/Meals	67	2,583	5,000	51.66%	2,417
Misc. Expenses	80	2,235	3,000	74.50%	765
Transportation	3,183	14,728	20,000	73.64%	5,272
Travel	1,663	7,366	20,000	36.83%	12,634
Training	750	9,464	10,000	94.64%	536
Special Events	6,105	9,548	25,000	38.19%	15,452
EDAB Membership	-	5,000	5,000	100.00%	-
Total Project Expenditures	2,922,311	15,315,377	29,913,974	51.20%	14,598,597
Consultants: On Call	2,000	23,695	30,000	78.98%	6,305
Office Furniture/Equipment	8,116	36,386	72,000	50.54%	35,614
Building Improvements	-	2,875	156,000	1.84%	153,125
DBE	1,089	37,738	40,000	94.35%	2,262
Legislative Advocacy	8,200	65,049	97,500	66.72%	32,451
Board Meeting Per Diems	4,750	26,550	40,000	66.38%	13,450
Total Expenditure	\$ 3,188,741	\$ 17,310,130	\$ 32,937,074	52.56%	\$ 15,626,944
Reserved Fund (Altamont Commuter Exp.)	31,169	378,444	243,704	155.29%	(134,740)
Excess Revenue over (under) Expenditures	\$ 1,139,564	\$ 219,544	\$ 25,273	868.69%	(194,271)

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**ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY
PROJECT REVENUE REPORT**

March 2006

Project Description	Period to Date Revenue	Year to Date Revenue	FY 2005/2006 Budget	% Used	Budget Variance
TEA 21 Planning Support	-	313,458	460,000	68.14%	146,542
Transportation & Land Use	-	61,913	151,300	40.92%	89,387
Countywide Bicycle MTC	-	-	20,000	0.00%	20,000
Community Based Transportation	-	-	100,000	0.00%	100,000
Subtotal MTC	\$ -	\$ 375,371	\$ 731,300	51.33%	\$ 355,929
Route 84 HOV On-Ramp	301	9,819	4,500	218.21%	(5,319)
Route 84 Hov Extension	1,927	14,368	20,000	71.84%	5,632
I-880 Grand Ave. Signal	124,443	346,230	1,024,600	33.79%	678,370
Rt. 84 Ardenwood Park	20,706	71,461	1,601,840	4.46%	1,530,379
I-880 N Safety Improvements	276,798	442,597	485,000	91.26%	42,403
I-580 EB HOV	1,380,181	2,390,935	3,216,400	74.34%	825,465
I-580 WB HOV & I-680	-	-	629,520	0.00%	629,520
Subtotal MTC-RM2	\$ 1,804,356	\$ 3,275,410	\$ 6,981,860	46.91%	\$ 3,706,450
Altamont Commuter Express Operating Cost	177,525	1,695,704	2,000,000	84.79%	304,296
Capital Improvement on ACE	-	-	35,000	0.00%	35,000
I-680 Smart PE/ENV (Phase 2)	-	227,569	390,000	58.35%	162,431
I-680 Smart PS&E (Phase 3)	-	48,305	515,000	9.38%	466,695
Central Freeway	-	-	100,000	0.00%	100,000
Countywide Bicycle Plan	15,645	15,645	30,000	52.15%	14,355
Subtotal ACTIA	\$ 193,170	\$ 1,987,223	\$ 3,070,000	64.73%	\$ 1,082,777
CMAQ: SMART Corridor O & M (Contra Costa)	-	222,943	220,000	101.34%	(2,943)
CMAQ: SMART Corridor O & M (Alameda)	-	272,880	330,000	82.69%	57,120
East Bay SMART Corridors Incident Management	-	100,000	128,900	0.00%	28,900
I-680 Sound Wall Construction	-	1,646,451	2,950,000	55.81%	1,303,549
I-680 North and Southbound Design	-	67,452	894,160	7.54%	826,708
I-580 HOV EIR & Project Report	-	400,460	855,400	46.82%	454,940
I-580/Tri-Valley Triangle Analysis	-	159,541	137,500	116.03%	(22,041)
I-680 Smart PSR	-	66,523	573,000	11.61%	506,477
I-680 Smart Lane VPPP	-	222,653	90,000	247.39%	(132,653)
STIP Project Monitoring	-	110,000	110,000	100.00%	-
Dynamic Ridesharing & Fair Lane	-	106,274	148,000	71.81%	41,726
Subtotal Caltrans	\$ -	\$ 3,375,178	\$ 6,436,960	52.43%	\$ 3,061,782
Guaranteed Ride Home Program	-	65,928	137,000	48.12%	71,072
TFCA Administration	-	39,612	33,840	117.06%	(5,772)
East 14th/Int'l Blvd.-Transit Signal Priority (phase2&4)	-	402,242	301,500	133.41%	(100,742)
Subtotal TFCA Program	\$ -	\$ 507,782	\$ 472,340	107.50%	\$ (35,442)
Project Monitoring & Oversight	39,503	73,674	347,200	21.22%	273,526
I-680 North & Southbound Design	-	12,509	218,000	5.74%	205,491
I-680 Soundwall	-	-	565,960	0.00%	565,960
I-680 Soundwall Design	-	-	25,960	0.00%	25,960
ACCMA 2004 Countywide Model Update	-	81,947	291,000	28.16%	209,053
Tri-Valley Triangle Analysis	-	177,290	137,500	128.94%	(39,790)
Fair Lane & Dynamic Ridesharing	-	9,915	25,700	38.58%	15,785
I-880 North Safety Improvements	-	-	42,480	0.00%	42,480
East Bay SMART Corridors Incident Management	263,264	263,264	132,900	198.09%	(130,364)
SMART Corridors - Intel Project	122,396	1,204,724	2,760,000	43.65%	1,555,276
Travel Choice	-	-	60,000	0.00%	60,000
CMA TIP Administration	-	60,864	162,176	37.53%	101,312
Subtotal CMA TIP	\$ 425,163	\$ 1,884,188	\$ 4,768,876	39.51%	\$ 2,884,688
East 14th / Int'l Blvd -Transit Signal Priority (Phase 3)	-	210,016	301,500	69.66%	91,484
Travel Choice	-	-	45,000	0.00%	45,000
Telegraph Transit Signal Priority	-	-	244,000	0.00%	244,000
Subtotal TFCA Regional	\$ -	\$ 210,016	\$ 590,500	35.57%	\$ 380,484
Traffic Signal Upgrades (Broadway)	-	-	429,000	0.00%	429,000
INTEL Project (AC Transit: Measure B + RM2)	1,781,548	5,499,065	8,287,000	66.36%	2,787,935
San Pablo	151,501	151,501	480,000	31.56%	328,499
Grand Ave (TFCA)	-	-	105,000	0.00%	105,000
Subtotal AC Transit	\$ 1,933,049	\$ 5,650,567	\$ 9,301,000	60.75%	\$ 3,650,433
Tri-Valley Triangle Analysis	-	-	71,000	0.00%	71,000
West CAT AVL	-	55,577	6,000	926.28%	(49,577)
Subtotal Others	\$ -	\$ 55,577	\$ 77,000	72.18%	\$ 21,423
TOTAL REVENUE	\$ 4,355,738	\$ 17,321,313	\$ 32,429,836	53.41%	\$ 15,108,523

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**ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY
PROJECT EXPENDITURE REPORT**

March 2006

Project Description	Period to Date Expenses	Year to Date Expenses	FY2005/2006 Budget	% Used	Budget Variance
Funding & Programming	-	20,071	52,000	38.60%	31,929
Countywide Transportation Plan	-	5,981	25,000	23.93%	19,019
CMA Travel Model Support	-	-	15,000	0.00%	15,000
Dynamic Ride Share	-	550	-	0.00%	(550)
Congestion Mgmt Prog.	5,624	27,147	25,000	108.59%	(2,147)
Transportation & Land Use	2,079	3,438	26,300	13.07%	22,862
Countywide Bicycle MTC	-	17,746	16,000	110.91%	(1,746)
Community Based Transportation	-	27,394	100,000	0.00%	72,606
Subtotal MTC	\$ 7,703	\$ 102,328	\$ 259,300	39.46%	\$ 156,972
Rt. 84 Dumbarton HOV On-Ramp	-	2,300	3,000	76.67%	700
Rt. 84 Dumbarton HOV Extension	195	3,915	5,000	78.30%	1,085
Grand Ave. Signal Modification	195	283,298	990,420	28.60%	707,122
Rt. 84/Ardenwood Park & Ride	7,800	79,094	1,579,000	5.01%	1,499,906
I-880 North Safety Improvements	252,850	400,162	435,000	91.99%	34,838
I-580 EB HOV Design	1,298,890	2,015,354	3,000,000	67.18%	984,646
I-580 WB HOV & I-680 Connector	12,180	113,821	500,000	22.76%	386,179
Subtotal MTC-RM2	\$ 1,572,109	\$ 2,897,944	\$ 6,512,420	44.50%	\$ 3,614,476
Altamont Commuter Express Operating Cost	146,356	1,317,260	1,756,296	75.00%	439,036
Capital Improvement on ACE	-	-	35,000	0.00%	35,000
I-680 Smart PE/ENV (Phase 2)	7,894	195,117	390,000	50.03%	194,883
I-680 Smart PS&E (Phase 3)	6,096	5,312	515,000	1.03%	509,688
Central Alameda County Fwy	-	8,720	26,000	0.00%	17,280
Countywide Bicycle Plan	171	18,467	25,000	73.87%	6,533
Subtotal ACTIA	\$ 160,517	\$ 1,544,876	\$ 2,747,296	56.23%	\$ 1,202,420
CMAQ: SMART Corridor O & M (Contra Costa)	-	191,198	200,000	95.60%	8,802
CMAQ: SMART Corridor O & M (Alameda)	-	299,741	300,000	99.91%	259
East Bay SMART Corridors Incident Management	-	73,092	128,900	56.70%	55,808
I-680 Sound Wall Construction	-	1,841,258	2,950,000	62.42%	1,108,742
I-680 North and Southbound Design	24,384	32,101	810,000	3.96%	777,899
I-580 HOV EIR & Project Report	-	400,460	720,000	55.62%	319,540
I-580/Tri-Valley Triangle Analysis	-	159,541	137,500	116.03%	(22,041)
I-680 Smart PSR	-	-	401,000	0.00%	401,000
I-680 Smart Lane VPPP	41,219	240,958	90,000	0.00%	(150,958)
STIP Project Monitoring	-	73,092	50,000	146.18%	(23,092)
Dynamic Ridesharing/Fair Lane	3,889	78,562	144,500	54.37%	65,939
Subtotal Caltrans	\$ 69,492	\$ 3,390,003	\$ 5,931,900	57.15%	\$ 2,541,897
Guaranteed Ride Home Program	6,128	61,808	125,000	49.45%	63,192
TFCA Administration	-	45,183	50,000	90.37%	4,817
East 14th/Int'l Blvd.-Transit Signal Priority (phase2&4)	-	-	291,516	0.00%	291,516
Subtotal TFCA Program	\$ 6,128	\$ 106,991	\$ 466,516	22.93%	\$ 359,525
Project Monitoring & Oversight	9,081	73,461	237,600	30.92%	164,139
I-680 North & Southbound Design	-	17,226	200,000	8.61%	182,774
I-680 Soundwall	-	185,042	540,000	34.27%	354,958
ACCMA 2004 Countywide Model Update	1,550	113,199	286,000	39.58%	172,801
Tri-Valley Triangle Analysis	-	158,619	137,500	115.36%	(21,119)
Travel Choice	-	1,247	-	0.00%	(1,247)
Dynamic Ridesharing	-	-	25,700	0.00%	25,700
East Bay SMART Corridors Incident Management	-	20,990	132,900	15.79%	111,910
SMART Corridors - Intel Project	-	1,134,991	2,668,608	42.53%	1,533,617
Travel Choice	28,074	29,322	56,500	51.90%	27,178
CMA TIP Administration	6,000	52,654	54,696	96.27%	2,042
Subtotal CMA TIP	\$ 44,705	\$ 1,786,752	\$ 4,339,504	\$ 0	\$ 2,552,752
East 14th/Int'l Blvd -Transit Signal Priority (Phase 3)	-	8,090	291,516	2.78%	283,426
Travel Choice	-	-	45,000	0.00%	45,000
Telegraph Transit Signal Priority	-	-	235,936	0.00%	235,936
Subtotal TFCA Regional	\$ -	\$ 8,090	\$ 572,452	1.41%	\$ 564,362
Traffic Signal Upgrades (Broadway)	-	148,436	414,792	35.79%	266,356
INTEL Project (AC Transit: Measure B + RM2)	1,063,736	5,405,139	8,036,632	67.26%	2,631,493
San Pablo	-	-	452,262	0.00%	452,262
Grand Ave (TFCA)	-	-	103,900	0.00%	103,900
Subtotal AC Transit	\$ 1,063,736	\$ 5,553,575	\$ 9,007,586	61.65%	\$ 3,454,011
Tri-Valley Triangle Analysis	-	-	71,000	0.00%	71,000
West CAT AVL	-	-	6,000	0.00%	6,000
Subtotal Others	\$ -	\$ -	\$ 77,000	0.00%	\$ 77,000
TOTAL PROJECT EXPENDITURES	\$ 2,922,311	\$ 15,315,377	\$ 29,913,974	51.20%	\$ 11,998,597

**ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY
TRANSPORTATION FUND FOR CLEAN AIR
FOR THE MONTH ENDING MARCH 31, 2006**

FISCAL YEAR	PREVIOUS BALANCE	CURRENT MONTH	PROGRAM BALANCE
Unexpended Funds as of June 30, 2000 (per BAAQMD audited statement)	\$ 6,313,045		\$ 6,313,045
FY 00/01 REVENUE	1,812,278		1,812,278
FY 01/02 REVENUE	1,861,637		1,861,637
FY 02/03 REVENUE	1,856,267		1,856,267
FY 03/04 REVENUE	1,770,510		1,770,510
FY 04/05 REVENUE	1,838,222		1,838,222
FY 05/06 REVENUE	-	-	-
Interest Income 00/01	341,255		341,255
Interest Income 01/02	133,243		133,243
Interest Income 02/03	69,491		69,491
Interest Income 03/04	47,004		47,004
Interest Income 04/05	43,736		43,736
Interest Income 05/06	67,287	5,012	72,299
FY 00/01 EXPENDITURES	(793,624)		(793,624)
FY 01/02 EXPENDITURES	(3,815,028)		(3,815,028)
FY 02/03 EXPENDITURES	(2,700,791)		(2,700,791)
FY 03/04 EXPENDITURES	(2,787,984)		(2,787,984)
FY 04/05 EXPENDITURES	(2,709,598)		(2,709,598)
FY 05/06 EXPENDITURES:			
City of Alameda - G	-	-	-
City of Albany - G	-	-	-
City of Berkeley - G	(25,349)	-	(25,349)
City of Dublin - G	-	-	-
City of Emeryville - G	-	-	-
City of Fremont - G	-	-	-
City of Hayward - G	(104,237)	-	(104,237)
City of Oakland - G	(114,294)	-	(114,294)
City of Pleasanton - G	-	-	-
City of Piedmont - G	-	-	-
City of San Leandro - G	-	-	-
City of Livermore - G	(13,278)	-	(13,278)
City of Newark - G	-	-	-
City of Union City - G	-	-	-
County of Alameda - G	(402,242)	-	(402,242)
Discretionary:			
AC Transit	-	-	-
ACCMA - SMART Corr.	-	-	-
LAVTA	-	-	-
CMA Administrative Cost	(101,727)	-	(101,727)
CMA Guaranteed Ride Home	(51,977)	-	(51,977)
City of Oakland	-	-	-
Misc. Expenses	-	-	-
BALANCE AS OF MARCH 31, 2006	\$ 2,533,846	\$ 5,012	\$ 2,538,858

This is not an audited statement. Prior year revenues and disbursements are provided for information only.

**ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY
EXCHANGE PROGRAM
FOR THE MONTH ENDING MARCH 31, 2006**

FISCAL YEAR	PREVIOUS <u>BALANCE</u>	CURRENT <u>MONTH</u>	PROGRAM <u>BALANCE</u>
FY 01/02 REVENUE	\$ 23,204,398		\$ 23,204,398
FY 02/03 REVENUE	10,880,691		10,880,691
FY 03/04 REVENUE	3,009,558		3,009,558
FY 04/05 REVENUE	1,236,204		1,236,204
FY 05/06 REVENUE	4,558,000	-	4,558,000
Interest Income 01/02	279,794		279,794
Interest Income 02/03	576,242		576,242
Interest Income 03/04	485,961		485,961
Interest Income 04/05	586,222		586,222
Interest Income 05/06	524,740	115,793	640,533
FY 01/02 EXPENDITURES	(1,140,453)		(1,140,453)
FY 02/03 EXPENDITURES	(654,945)		(654,945)
FY 03/04 EXPENDITURES	(8,696,250)		(8,696,250)
FY 04/05 EXPENDITURES	(3,955,062)		(3,955,062)
FY 05/06 EXPENDITURES:			
Alameda County CMA	(1,579,857)	(1,198,537)	(2,778,394)
City of Dublin	-	-	-
City of San Leandro	-	-	-
City of Berkeley	(199,990)	-	(199,990)
Union City	(134,422)	-	(134,422)
AC Transit	-	-	-
City Car Share	(3,442)	-	(3,442)
BART	(42,642)	-	(42,642)
Misc. Expenses	(318)	-	(318)
BALANCE AS OF MARCH 31, 2006	<u>\$ 28,934,429</u>	<u>\$ (1,082,744)</u>	<u>\$ 27,851,685</u>

This is not an audited statement. Prior year revenues and disbursements are provided for information only.

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Quarterly Investment Report for the Quarter Ended 03/31/06

Security Type	Issuer	Credit Rating	Yield to Maturity	Purchase Date	Maturity Date	Purchase Price/Cost	Yield at Maturity
1. Cert. of Deposit	Union Bank of Cal.	A1+/P1	4.60%	3/31/06	6/15/06	\$1,000,000	\$9,711
2. Comm. Paper	Gen'l Elec. Cap. Corp.	A1+/P1	4.72%	3/31/06	7/17/06	1,996,691	28,310
3. Corp. Security	Citigroup Corp. Note	Aa1/AA-	4.52%	2/6/06	8/09/06	1,245,977	28,502
4. Comm. Paper	Gen. Elec. C.C.	A1+/P1	4.88%	2/14/06	8/15/06	4,999,012	120,988
5. Discount Note	FFCB	Aaa/AAA	4.91%	3/06/06	9/01/06	2,962,290	69,210
6. Comm. Paper	UBS Finance	A1+/P1	4.86%	3/15/06	9/18/06	1,920,779	48,221
7. Discount Note	FHLMC	Aaa/AAA	4.83%	3/07/06	9/19/06	3,099,493	80,507
8. Discount Note	FHLMC	Aaa/AAA	4.70%	12/1/05	11/1/06	4,999,209	215,791
Subtotal Investments (at cost)			4.81% (ave.)			22,223,451	\$601,240
9. U S Gov't Money Market Fund (Custodial Account)						1,280	
10 Local Agency Investment Fund						5,764,861	
11. TFCA Money Market Fund (Wells Fargo)						2,048,802 (estimate)	
Total Invested						<u>\$30,038,394</u>	


Yvonne Chan, Auditor/Treasurer

4/17/06
Date

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Summary of Contracts (>\$25,000) Awarded/ Amended in FY 2005/2006 through March 2006

Professional Services														
Project/Contract Name	Contract Type/ Service	Contract Number	Contract Date	Prime	Subs	Firm Location	Fund Source	Total \$ Amount	Alameda Local Business	East Bay Local Business	SBE Firm	DBE Firm Y or N	Federal DBE Goal	% DBE Firms
West Oakland Community Based Transportation Plan	Planning	A05-017	8/24/05	MIG	Harvey Goldstrom Elmwood Consulting	Berkeley, CA Oakland, CA Oakland, CA	MTC/STA (non-federal)	\$ 46,000	\$ 46,000	\$ 46,000		N		
								\$ 7,000	\$ 7,000	\$ 7,000		N		
								\$ 7,000	\$ 7,000	\$ 7,000		N		
Contract A05-017 Total:								\$ 60,000	\$ 60,000	\$ 60,000	\$ -		NA	0%
I-680 Smart Carpool Marketing & Research	Marketing/ Research	A05-022	8/25/05	Don Solem & Associates	Frank Wilson & Assoc. Jeremy Law	San Francisco, CA San Juan Capistrano, CA San Juan Capistrano, CA	ACTIA	\$ 25,790				N		
								\$ 17,400			\$ 17,400	N		
								\$ 6,700				N		
Contract A05-022 Total:								\$ 49,890	\$ -	\$ -	\$ 17,400		NA	0%
2006 Update County Wide Bike Plan	Planning	A05-019	8/24/05	Beth Walukas		Oakland	ACTIA/TDA	\$ 44,000	\$ 44,000	\$ 44,000	\$ -	N		
Contract A05-019 Total:								\$ 44,000	\$ 44,000	\$ 44,000	\$ -		NA	0%
I-680 North Safety Improvment	Design	A05-008	7/8/05	Korve RBF	VSCE Inc. Land Unity Council Wilson, Ihrlig and Assoc. Ninyo and Moore Universal Field Serv., Inc Hammon Jensen & Wallen Jones & Stokes	Oakland, CA Walnut Creek, CA Oakland, CA Oakland, CA Oakland, CA Sacramento, CA Oakland, CA Oakland, CA	RM2	\$ 369,220	\$ 369,220	\$ 369,220		N		
								\$ 320,820	\$ -	\$ 320,820		N		
								\$ 91,354	\$ 91,354	\$ 91,354	\$ 91,354	Y		
								\$ 40,620	\$ 40,620	\$ 40,620	\$ 40,620	N		
								\$ 20,542	\$ 20,542	\$ 20,542		N		
								\$ 10,960	\$ -	\$ -		N		
								\$ 7,600	\$ 7,600	\$ 7,600		N		
								\$ 47,803	\$ 47,803	\$ 47,803		N		
Contract A05-008 Total:								\$ 908,919	\$ 677,139	\$ 897,959	\$ 131,974		NA	10%
Grand MacArthur	Engineering Analysis	A05-016	7/27/05	DKS		Oakland, CA	RM2	\$ 513,779	\$ 513,779	\$ 513,779	\$ -	N		
Contract A05-016 Total:								\$ 513,779	\$ 513,779	\$ 513,779	\$ -		NA	0%
General Administration	Admin Services	A06-007	3/1/06	G/S Drive Products		Castro Valley, CA	CMA General Fund	\$ 25,000	\$ 25,000	\$ 25,000		N		
Contract A06-007 Total:								\$ 25,000	\$ 25,000	\$ 25,000	\$ -		NA	0%
2006 LOS Monitoring	Traffic Data Collection	A06-008	3/23/06	Carter-Burgess	Traffic Research & Analysis, Inc.	Oakland, CA Roseville, CA	MTC, Federal	\$ 27,977	\$ 28,105	\$ 28,105	\$ -	N		
								\$ 26,773	\$ -	\$ -	\$ 26,895	Y		
Contract A06-008 Total:								\$ 54,750	\$ 28,105	\$ 28,105	\$ 26,895		4%	49%
Contracting Consulting	Contracting	A06-011	3/31/06	Anue Management		Oakland, CA	CMA General Fund	\$ 28,325	\$ 28,325	\$ 28,325	\$ -	N		
Contract A06-011 Total:								\$ 28,325	\$ 28,325	\$ 28,325	\$ -		NA	0%
Professional Services Total:								\$ 1,684,663	\$ 1,276,348	\$ 1,597,168	\$ 176,269			
									76%	95%	10%			

Summary of Contracts (>\$25,000) Awarded/ Amended in FY 2005/2006 through March 2006

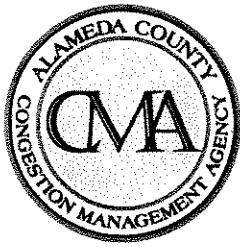
Construction														
Project/Contract Name	Contract Type/ Service	Contract Number	Contract Date	Prime	Subs	Firm Location	Fund Source	Total \$ Amount	Alameda Local Business	East Bay Local Business	SBE Firm	DBE Firm Y or N	Federal DBE Goal	% DBE Firms
INTEL Equipment	Equipment	A05-031 Amended	6/28/2005 Change order: 3/1/05	McCain Traffic Supply		Sacramento, CA	95% State or Local; 5% Federal	\$ 703,686				N		
Contract A05-031 Total:								\$ 703,686	\$ -	\$ -	\$ -		0%	0%
Rapid Bus Project Telegraph	Construction	A05-020 Amended	7/29/05 Change order: 12/22/05	Steiny & Co.	Vargas & Esquivel Diaz Corp. Titan Norwood	Vallejo, CA San Francisco, CA San Jose, CA Redding, CA Brentwood, CA	95% State & Local; 5% Federal	\$ 2,860,743 \$ 135,111 \$ 26,053 \$ 160,349 \$ 178,898			\$ 135,111 \$ 26,053 \$ 160,349	N Y Y Y N		
Contract A05-020 Total:								\$ 3,361,154	\$ -	\$ 178,898	\$ 321,513		10%	10%
Rapid Bus Project Broadway	Construction	A05-021 Amended	8/1/05 Change order: 12/22/05	Ray's Electric	Bayline William's Trucking TPA Utility Sales	Oakland, CA Oakland, CA Oakland, CA Oakland, CA	95% State & Local; 5% Federal	\$ 540,267 \$ 31,050 \$ 6,210 \$ 43,470	\$ 540,267 \$ 31,050 \$ 6,210 \$ 43,470	\$ 540,267 \$ 31,050 \$ 6,210 \$ 43,470	\$ 540,267	N Y Y Y		
Contract A05-021 Total:								\$ 620,997	\$ 620,997	\$ 620,997	\$ 640,267		10%	13%
Rapid Bus Project E. 14th/ International	Construction	A05-038 Amended	Board Award 9/22/05 Change order: 12/22/05	Rosendin Electric	Simco Construction Bass Electric Precision Diaz Corp. McDonald Engineering Advanced Cutting & Paving	San Jose, CA Oakland, CA San Francisco, CA San Jose, CA San Jose, CA Livermore, CA Morgan Hill, CA	95% State & Local; 5% Federal	\$3,683,571 \$452,824 \$261,026 \$113,490 \$21,563 \$11,349 \$9,079	\$ 452,824	\$ 452,824	\$ 452,824 \$261,026 \$21,563	N Y N N Y N N		
Contract A05-038 Total:								\$ 4,552,903	\$ 464,173	\$ 464,173	\$ 735,414		10%	10%
Rapid Bus Project	Equipment	A05-034	10/4/05	EIS Electric Integrated Systems		Ontario, Canada	95% State & Local; 5% Federal	\$ 90,382	\$ -	\$ -	\$ -	N		
Contract A05-034 Total:								\$ 90,382	\$ -	\$ -	\$ -		0%	0%
Rapid Bus Project	Equipment	A05-033	10/19/05	3M		Saint Paul, MN	95% State & Local; 5% Federal	\$ 137,706	\$ -	\$ -	\$ -	N		
Contract A05-033 Total:								\$ 137,706	\$ -	\$ -	\$ -		0%	0%
Uptown Transit Center	Construction	A06-____	Board Award 2/23/06	NTK Construction	F. Ferrando & Co. Phoenix Electric Crisp Co.	San Francisco, CA S. San Francisco, CA San Francisco, CA Fremont, CA	95% State & Local; 5% Federal	\$ 794,918 \$ 560,000 \$ 224,000 \$ 12,000	\$ - \$ - \$ - \$ 12,000	\$ - \$ - \$ - \$ 12,000		Y Y Y N		
Contract A06-____ Total:								\$ 1,590,918	\$ 12,000	\$ 12,000	\$ -		19%	99%
Construction Total:								\$ 11,057,746	\$ 1,097,170	\$ 1,276,068	\$ 1,597,194			
									10%	12%	14%			

Report Notes:

This report includes all contracts over \$25,000 awarded or amended from July 2005 through March 2006.

This report excludes office rent, office utilities, and Agency benefits, and the Agency's Sacramento and D.C. Representatives.

Contract #A06-002, has not been included in this report. In this contract between the CMA and TALC, the CMA is acting as the recipient agency for TALC's BAAQMD funds.



ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2580 • FAX: (510) 836-2185
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

Memorandum

*April 27, 2006
Agenda Item 6.3.1*

DATE: April 18, 2006
TO: CMA Board
FROM: Plans and Programs Committee
RE: Transportation Fund for Clean Air (TFCA) Program:
Quarterly At Risk Report

Action Requested

It is recommended that the Board approve the attached Quarterly At Risk report for the local projects included in the TFCA program.

Discussion

The enclosed Quarterly At Risk- Timely Use of Funds report dated April 2006 has been updated to reflect the material we have received through April 17, 2006. The report reflects (4) projects in the red zone with primarily funding agreement signature deadlines, final monitoring reports (FMR's) and expenditure deadlines. The report reflects (6) projects in the yellow zone, representing projects with tasks required in the next 6 months. The ACTAC recommended approval of this item unanimously.

Attachment

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TFCA Program Manager Funds
At Risk Report
April 2006

CMA Board Agenda Item 6.3.1
4/27/06

Project No.	Sponsor	Project Title	Balances	Required Activity	Date Due	Activity Completed/ Date	Notes
RED ZONE (Milestone within 3 months)							
03ALA08	City of Oakland	CNG Refueling Station-Oakland	TFCA Award	Agree. Executed			Expenditures not complete Received amendment 6/7/05, still need original agreement
			\$ 225,000.00	Proj. Start		Jul-03	
			TFCA Expended	Final Reim.	12/31/06		
			\$ -	FMR	Aug-06		
				Exp Deadline Met	6/30/06		
03ALA07	City of Fremont	CNG Refueling Station-Fremont	TFCA Award	Agree. Executed		2/9/04	Expenditures not complete FMR Due Mar 06 Expenditure deadline May 06.
			\$ 96,242.00	Proj. Start		Jul-03	
			TFCA Expended	Final Reim.	12/31/06		
			\$ 28,176.66	FMR	Mar-06		
				Exp Deadline Met	5/25/06		
03ALA03	City of Emeryville	Class II Bicycle Lane- Doyle Street Greenway.	TFCA Award	Agree. Executed		7/9/04	Expenditures not complete FMR Due April 06 Expenditure Deadline Jul 06
			\$ 50,000.00	Proj. Start		Jul-04	
			TFCA Expended	Final Reim.	12/31/06		
			\$ -	FMR	Apr-06		
				Exp Deadline Met	7/25/06		
05ALA03	City of Livermore	Arroyo Mocho Bicycle and Pedestrian Trail Extension, Class 1	TFCA Award	Agree. Executed			Agreement sent to sponsor, required to be executed and returned by 4/17/06. Liv Council approved 4/10
			\$ 86,803.00	Proj. Start		Mar-06	
			TFCA Expended	Final Reim.	12/31/08		
			\$ -	FMR	Mar-07		
				Exp Deadline Met	11/2/07		

Agree Executed- Date TFCA Agreement executed
Proj. Start- Date of project initiation
FMR- Date final monitoring report submitted
Exp. Deadline Met- Expenditure occurred before deadline

TFCA Program Manager Funds
At Risk Report
April 2006

CMA Board Agenda Item 6.3.1
4/27/06

Project No.	Sponsor	Project Title	Balances	Required Activity	Date Due	Activity Completed/ Date	Notes
YELLOW ZONE (Milestone within 4-6 Months)							
01ALA10	City of San Leandro	Arterial Management: Advanced Signal System	TFCA Award	Agree. Executed		3/18/02	FMR Due Jul 06
			\$ 42,500.00	Proj. Start			
			TFCA Expended	Final Reim.	12/31/04	Aug-04	
			\$ 42,500.00	FMR	Jul-06		
				Exp Deadline Met	12/21/03	yes	
99ALA01	ACCMA	Arterial Management- I-880 Smart Corridor	TFCA Award	Agree. Executed		9/20/99	FMR Due Jul 06
			\$ 182,000.00	Proj. Start		Feb-00	
			TFCA Expended	Final Reim.		3/21/02	
			\$ 182,000.00	FMR	Jul-06		
				Exp Deadline Met	2/28/02	yes	
03ALA12	ACCMA	Transit Bus Priority Systems, International Blvd.	TFCA Award	Agree. Executed		5/14/04	FMR Due Aug 06
			\$ 500,000.00	Proj. Start		Feb-04	
			TFCA Expended	Final Reim.	12/31/06	2/7/06	
			\$ 500,000.00	FMR	Aug-06		
				Exp Deadline Met	11/25/05	yes	
03ALA13	ACCMA	Guaranteed Ride Home Program	TFCA Award	Agree. Executed	8/14/04	5/14/04	Expenditures not complete FMR Due Sep 06
			\$ 231,200.00	Proj. Start	Sep-04	Jul-04	
			TFCA Expended	Final Reim.	12/31/06		
			\$ 161,675.19	FMR	Sep-06		
				Exp Deadline Met	6/30/06		
03ALA14	City of Berkeley	City Carshare- Eastbay Expansion	TFCA Award	Agree. Executed	11/11/04	11/29/04	Expenditures not complete FMR Due Sep 06
			\$ 125,996.00	Proj. Start	Feb-05	12/1/04	
			TFCA Expended	Final Reim.	12/31/06		
			\$ 96,461.73	FMR	Sep-06		
				Exp Deadline Met	6/30/06		
03ALA15	LAVTA	ACE Shuttle to the Dublin/ Pleasanton BART Station (From Pleasanton ACE Station) for FY 04/05 and FY 05/06 Operations	TFCA Award	Agree. Executed	11/11/04	10/14/04	Expenditures not complete FMR Due Sep 06
			\$ 83,934.00	Proj. Start	Jul-04	Jul-04	
			TFCA Expended	Final Reim.	12/31/06		
			\$ 47,302.51	FMR	Sep-06		
				Exp Deadline Met	6/30/06		

Agree Executed- Date TFCA Agreement executed
Proj. Start- Date of project initiation
FMR- Date final monitoring report submitted
Exp. Deadline Met- Expenditure occurred before deadline

Spring '06- Timely Use of Funds

TFCA Program Manager Funds
At Risk Report
April 2006

CMA Board Agenda Item 6.3.1
4/27/06

Project No.	Sponsor	Project Title	Balances	Required Activity	Date Due	Activity Completed/ Date	Notes
GREEN ZONE (Milestone beyond 6 months)							
96ALA10	City of Oakland	Arterial Traffic Signal Management-Citywide	TFCA Award	Agree. Executed		7/24/96	FMR Due Oct. 06
			\$ 850,000.00	Proj. Start		Oct-98	
			TFCA Expended	Final Reim.		4/9/03	
			\$ 850,000.00	FMR	Oct-06		
				Exp Deadline Met	12/31/02	yes	
02ALA10	City of Oakland	Coliseum BART Bus Stop Relocation	\$ 192,000.00	Proj. Start		Jul-02	Expenditures not complete FMR Due Nov 06 Expenditures Deadline Sep 06
			TFCA Expended	Final Reim.	12/31/07		
			\$ 4,757.95	FMR	Nov-06		
				Exp Deadline Met	09/30/06		
05ALA05	City of Union City	Compressed Natural Gas Facility Improvements	TFCA Award	Agree. Executed		4/7/06	Expenditures not complete FMR Due Dec. 06 Expenditure Deadline Nov 07
			\$ 120,000.00	Proj. Start		Mar-06	
			TFCA Expended	Final Reim.	12/31/08		
			\$ -	FMR	Dec-06		
				Exp Deadline Met	11/2/07		
05ALA01	BART	Electronic Bicycle Locker's	TFCA Award	Agree. Executed		3/31/06	Expenditures not complete FMR Due Apr 07 Expenditure Deadline Nov 07
			\$ 50,000.00	Proj. Start		Aug-06	
			TFCA Expended	Final Reim.	12/31/08		
			\$ -	FMR	Apr-07		
				Exp Deadline Met	11/2/07		
03ALA02	City of Berkeley	Berkeley BART: Attended Bikestation	TFCA Award	Agree. Executed		1/14/04	Expenditures not complete FMR Due Jun 07 Expenditure Deadline Jun 07.
			\$ 86,136.00	Proj. Start		Sep-04	
			TFCA Expended	Final Reim.	12/31/07		
			\$ -	FMR	Jun-07		
				Exp Deadline Met	06/30/07		
05ALA02	City of Berkeley	Citywide Bicycle Parking Program	TFCA Award	Agree. Executed		3/17/06	Expenditures not complete FMR Due Dec. 07 Expenditure Deadline Nov 07
			\$ 25,000.00	Proj. Start		Mar-06	
			TFCA Expended	Final Reim.	12/31/08		
			\$ -	FMR	Dec-07		
				Exp Deadline Met	11/2/07		
04ALA01	City of Fremont	Signal Retiming: Auto Mall Pkwy., Paseo Padre Pkwy., Warm Springs Blvd., and Fremont Blvd.	TFCA Award	Agree. Executed	5/6/05	5/19/05	Expenditures not complete FMR Due Mar. 08 Expenditure Deadline Apr 07
			\$ 123,000.00	Proj. Start	Jun-05	Jul-05	
			TFCA Expended	Final Reim.	12/31/07		
			\$ -	FMR	Mar-08		
				Exp Deadline Met	4/13/07		

Agree Executed- Date TFCA Agreement executed
Proj. Start- Date of project initiation
FMR- Date final monitoring report submitted
Exp. Deadline Met- Expenditure occurred before deadline

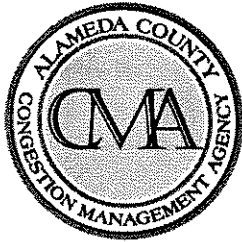
Spring '06- Timely Use of Funds

TFCA Program Manager Funds
At Risk Report
April 2006

CMA Board Agenda Item 6.3.1
4/27/06

Project No.	Sponsor	Project Title	Balances	Required Activity	Date Due	Activity Completed/Date	Notes
Projects Done/Completed and Will Be Removed from the Monitoring Program							
00ALA12	BART	Fruitvale Attended bicycle Parking Facility	TFCA Award	Agree. Executed		10/3/02	Expenditures Completed. FMR Received.
			\$ 400,000.00	Proj. Start		Jul-00	
			TFCA Expended	Final Reim.	12/31/06	3/30/06	
			\$ 400,000.00	FMR	Mar-06	2/2/06	
				Exp Deadline Met	12/31/05	yes	
03ALA04	City of Fremont	Class II Bicycle Lane- Fremont Blvd	TFCA Award	Agree. Executed		2/9/04	Expenditures Completed. FMR Received.
			\$ 57,805.93	Proj. Start		Feb-04	
			TFCA Expended	Final Reim.	12/31/06	4/5/06	
			\$ 57,805.93	FMR	Nov-05	2/13/06	
				Exp Deadline Met	11/25/05	yes	

Agree Executed- Date TFCA Agreement executed
Proj. Start- Date of project initiation
FMR- Date final monitoring report submitted
Exp. Deadline Met- Expenditure occurred before deadline



ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

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*April 27, 2006
Agenda Item 6.3.3*

Date: April 14, 2006
To: CMA Board
From: Plans and Programs Committee
Subject: Central County Freeway Study: Request for Funding

Action Requested

ACTA amended the 1988 Alameda County Transportation Expenditure Plan to eliminate the Route 238 Hayward Bypass and replace it with four projects. One of replacement projects is the Central Alameda County Freeway Operations Study. ACTA requested the CMA, as the Transportation Planning Agency for Alameda County, to serve as co-sponsor and manager of the study and any follow up project study reports as needed. In October 2005, the CMA Board authorized the Executive Director to enter into a funding agreement with ACTA for this work. It is estimated that the study and any follow up PSRs will take approximately 75% of one staff position over a three-year period. ACTA adopted policies allow project sponsors to be reimbursed for salary plus benefits and direct costs such as consultant services; however, this will not cover all costs to the CMA. Planning is a core function of the CMA, and the study area is a vital link in the Goods Movement corridor identified as a high priority for the CMA. As the CMA's contribution to Central County Freeway Study, it is recommended that the Board 1) approve up to \$250,000 in CMA TIP funds to cover the additional costs; 2) authorize staff to seek grants to reduce the cost to the CMA TIP; and 3) authorize the Executive Director to sign an amendment to the funding agreement with ACTA if necessary.

Next Steps

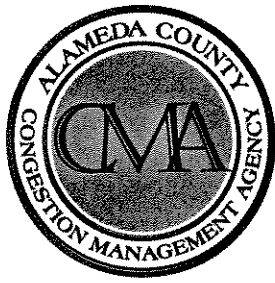
Execute an amendment to the funding agreement with ACTA if required.

Discussion

ACTA requested the CMA to co-sponsor and manage the Central County Freeway Operations Study. An amendment to the Expenditure Plan was approved to allocate \$5 million for this effort. It is expected that there could be surplus funding after completion of the Operations Study and the PSRs that could be applied to improvements in the corridors. The study area includes I-580, I-238 and I-880 in Central Alameda County, a vital link in the goods movement corridor identified as a high priority by the Board.

The CMA agreed to manage the study; however ACTA's reimbursement policies do not cover the CMA's full cost. It is estimated that the study will take 75% of one staff position over the next three years. The work will include the freeway operations study and potential follow on Project Study Reports. ACTA will cover salary plus benefits and any direct costs for consultant services. Staff has determined that there will be additional cost of \$250,000 to the CMA over the three year period. Given that planning is a core function of the Agency and that the study area is a vital link for goods movement, it is recommended that CMA TIP funds be programmed as the CMA's contribution to the study. Staff will seek other funding opportunities to minimize the amount of CMA TIP funds for the project. If staff is successful, then the amount of CMA TIP would be lower.

Caltrans is in the process of preparing an operational analysis of the I-880 corridor which was presented to the Board in January of this year. The results will be incorporated into the Central County Freeway Study.



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*Agenda Item 6.4.1
April 27, 2006*

DATE: April 18, 2006
TO: CMA Board
FROM: Administration and Legislation Committee
SUBJECT: I-580 Corridor: Advance Right of Way Acquisition for Future Median Transit Corridor

Action Requested

It is recommended that the CMA Board authorize the Executive Director, or his designee, to negotiate and execute requisite agreements with the Alameda County Transportation Improvement Authority (ACTIA) to include the I-580 Corridor/BART to Livermore Studies Project (ACTIA 26) in the list of CMA sponsored projects that are part of the I-580 Tri-Valley Corridor Improvement Plan. Funds provided through ACTIA Project 26 will be used for advance right of way acquisition along I-580 for preservation of a future median transit corridor.

Next Steps

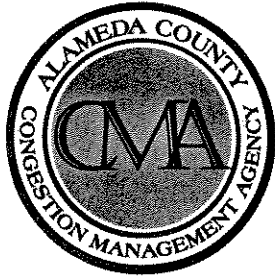
The first agreement will identify the CMA as the project sponsor; subsequent agreements will provide ACTIA funds to pursue project implementation. Staff of CMA and ACTIA will develop a strategy for project development and, when appropriate, negotiate and prepare for executive signature the requisite Project Specific Funding Agreement(s) with ACTIA.

Discussions

The I-580 Corridor/BART to Livermore Studies Project is a Tier 1 project in Alameda County's 20-Year Transportation Plan, the Expenditure Plan for Measure B and administered by ACTIA. The Expenditure Plan provides for \$8,700,000 (1997-98 dollars) in ACTIA funds.

The Master Project Funding Agreement between ACTIA and CMA was executed in 2002 and notes the general conditions, policies and procedures of both parties for the delivery of ACTIA projects sponsored by the CMA. The Master Project Funding Agreement also lists specific projects under CMA's sponsorship. Amendment No. 2 would add the I-580 Corridor/BART to Livermore Studies Project to the list of projects in the Master Project Funding Agreement, and allows the CMA to enter into future Project Specific Funding Agreements for this project as needed to implement the project.

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*Agenda Item 6.4.2
April 27, 2006*

DATE: April 18, 2006
TO: CMA Board
FROM: Administration and Legislation Committee
SUBJECT: I-580 Corridor: Westbound I-580 Auxiliary Lanes

Action Requested

It is recommended that the CMA Board authorize the Executive Director, or his designee, to take the following actions with the Alameda County Transportation Improvement Authority (ACTIA) for the I-580 Auxiliary Lanes Project:

1. Approve the addition of the CMA as a project Co-Sponsor with Caltrans;
2. Negotiate and execute Amendment No. 3 to the Master Project Specific Funding Agreement to include the I-580 Auxiliary Lanes Project, ACTIA 14, in the list of projects sponsored by the CMA;
3. Negotiate and execute Project Specific Funding Agreement for the Construction/Construction Engineering Phase of the I-580 Auxiliary Lane Project – Westbound between I-580/Fallon Road Interchange and I-580/Tassajara Road Interchange, Segment 14A, for \$1,500,000; and
4. Negotiate and execute Project Specific Funding Agreement for the Preliminary Engineering/Environmental Phase of the I-580 Auxiliary Lane Project – Westbound between I-580/Airway Boulevard Interchange and I-580/Fallon Road Interchange, Segment 14B, for \$400,000.

Next Steps

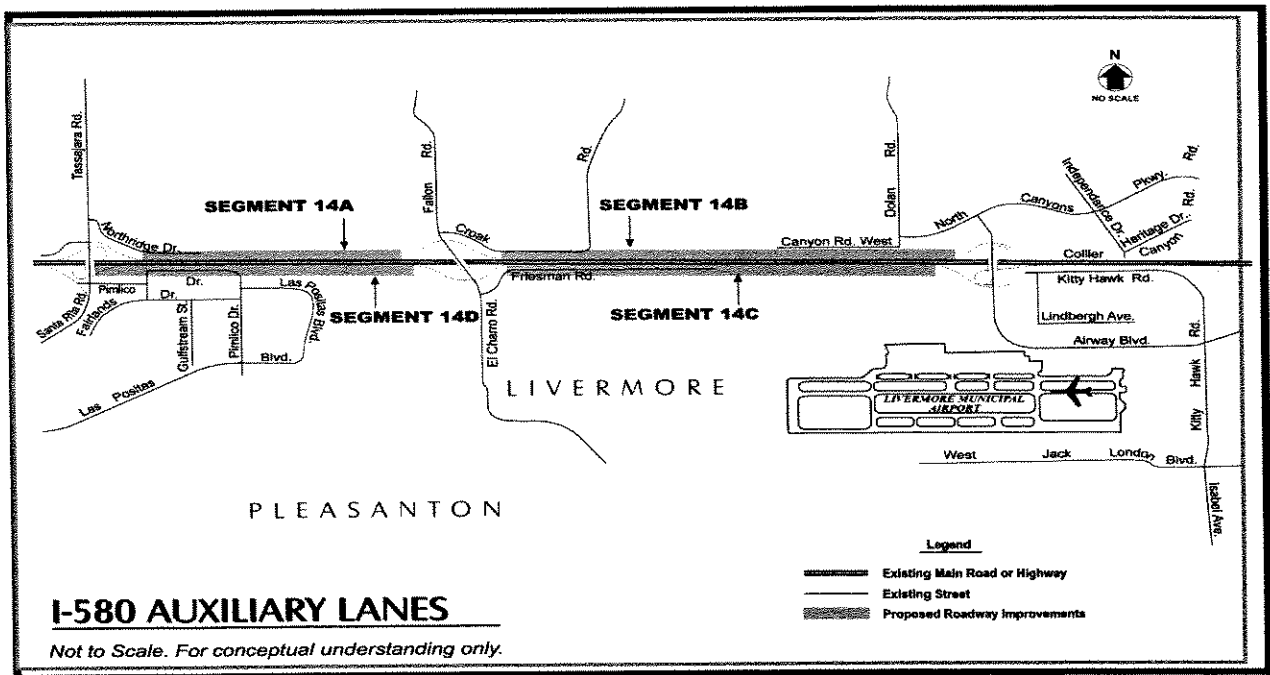
Staff will negotiate and execute the requisite agreements for the I-580 Auxiliary Lanes Project in anticipation of delivering the westbound I-580 auxiliary lane between I-580/Fallon Road Interchange and the I-580/Tassajara Road Interchange in 2007 and to begin the preliminary engineering/environmental analysis for the westbound I-580 auxiliary lane between the I-580/Airway Boulevard Interchange and I-580/Fallon Road Interchange lane in the fall of 2006.

Discussions

The I-580 Auxiliary Lane (Santa Rita Road to Airway Boulevard) Project is a Tier 1 project in Alameda County's 20-Year Transportation Plan, the Expenditure Plan for Measure B administered by ACTIA. The I-580 Auxiliary Lanes Project, ACTIA 14, includes four individual auxiliary lane segments between the I-580/Tassajara Road – Santa Rita Road Interchange in Dublin – Pleasanton and the I-580/Airway Boulevard Interchange in Livermore. See the map below.

The above actions are focused on the westbound I-580 auxiliary lanes, Segments 14A and 14B. The CMA is environmentally clearing, designing and will construct the eastbound I-580 Auxiliary Lane Project from the I-580/El Charro Road Interchange to the I-580/Airway Boulevard Interchange,

Segment 14C, with the I-580 Eastbound Interim HOV Lane Project. These auxiliary lanes will help to improve operations on westbound I-580 in the project area. The eastbound I-580 auxiliary lane between I-580/Santa Rita Road Interchange and the I-580/El Charro Interchange, Segment 14D, was previously completed with the construction of the City of Dublin's I-580/Tassajara Road Interchange Modification Project.



Action 1:

In the ACTIA Expenditure Plan, the sponsor of I-580 Auxiliary Lane Project is Caltrans. Staff, ACTIA and Caltrans have discussed and agreed on designating the CMA as Co-Sponsor for the I-580 Auxiliary Lanes Project. Having the CMA Co-Sponsor the I-580 Auxiliary Lanes Project is in keeping with existing CMA responsibility for the delivery of the I-580 HOV Lanes Project with Caltrans; furthermore, the Eastbound I-580 Auxiliary Lane, Segment 14C, is part of that project. Approving the Co-Sponsorship will allow ACTIA to enter into Funding Agreements with either agency, the CMA or Caltrans to advance project delivery.

Action 2:

The Master Project Funding Agreement with ACTIA was executed in 2002 and notes the general conditions, policies and procedures of all parties for the delivery of ACTIA projects under CMA sponsorship. The Master Project Funding Agreement also lists specific projects under CMA's sponsorship. Amendment No. 3 adds the I-580 Auxiliary Lane Project to the list of projects in the Master Project Funding Agreement, and allows the CMA to enter into Project Specific Funding Agreements for the various phases of the auxiliary lane segments.

Action 3:

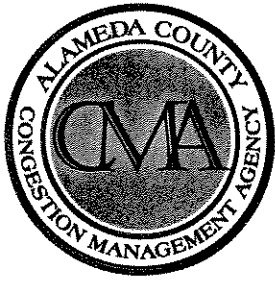
The Project Specific Funding Agreement provides \$1.5 million of ACTIA funds for the construction and construction management of the Segment 14A of the I-580 Auxiliary Lanes Project, Westbound I-580 between the I-580/Fallon Road and I-580/Tassajara Road Interchanges. Segment 14A already has State environmental clearance but not Federal environmental clearance. The CMA with

consultant assistance will environmentally clear and design Segment 14A. Construction of Segment 14A may occur as a stand alone project or could be added as a contract change order to other construction projects in the corridor, as appropriate.

Action 4

This Project Specific Funding Agreement provides \$400,000 in ACTIA funds for the preliminary engineering/environmental clearance effort for Segment 14B on the I-580 Auxiliary Lanes Project, westbound I-580 between I-580/Airway Boulevard and the I-580/Tassajara Boulevard Interchanges. CMA and ACTIA staff have mutually agreed to have ACTIA deliver the preliminary engineering and environmental effort, the subject of this agreement. It is anticipated that ACTIA will pursue a Request for Proposal for consultant assistance for preliminary engineering/environmental clearance this Spring, with the work effort beginning in the Fall.

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*Agenda Item 6.4.3
April 27, 2006*

DATE: April 18, 2006
TO: CMA Board
FROM: Administration and Legislation Committee
SUBJECT: I-580 Corridor: Traffic Management Plan (TMP)/Advance Elements Project

Action Requested

It is recommended that the CMA Board authorize the Executive Director, or his designee, to take the following actions in support of expediting delivery of the I-580 Traffic Management Plan (TMP)/Advance Elements Project:

1. To negotiate and execute all necessary agreements for procurement of long lead items and specialty products to be used in the construction of the project for an amount not to exceed \$1,500,000; and
2. To release a Request for Proposal (RFP) to provide construction management services for this project and execute all necessary agreements with the selected consultant for an amount not to exceed \$1,250,000.

Funding will be provided from available I-580 corridor fund sources.

Next Steps

Staff will negotiate and draft the requisite agreements for the I-580 TMP/Advance Elements Project in anticipation of construction award by fall 2006.

Background

In March 2006, the CMA Board authorized the Executive Director, or his designee, to take three related actions in support of expediting delivery of the I-580 Traffic Management Plan (TMP)/Advance Elements Project:

- Negotiate and execute all necessary consulting, procurement and installation agreements with AT&T and CoValuate for systems and software design and implementation;
- Negotiate and execute a Cooperative Agreement with Caltrans for oversight of project development and construction activities for this project; and
- Negotiate and execute all necessary agreements with the Cities of Dublin, Livermore and Pleasanton, Zone 7, and Alameda County to enter, construct, operate and maintain TMP/Advance Elements within their jurisdictions.

The actions requested herein are in addition to these previous actions.

The I-580 TMP/Advance Elements Project will provide required traffic management elements that are necessary for the EB I-580 HOV Lane Project in advance of its construction. The TMP project is presently being environmentally cleared and designed with consultant assistance under contract to the CMA. Staff anticipates having the I-580 TMP/Advance Elements under construction in fall 2006. The CMA plans to administer the construction of this project. This accelerated schedule is prompting the need for the requested actions. Funding for all activities related to this project will be provided through existing grants programmed to the project. Additional supporting information for each action requested is provided in Attachment A.

Discussion

Action 1:

In order to meet the aggressive schedule, it is recommended that items that have a long lead time of four months or longer, such as Dynamic Message Signs (DMS) and poles, be procured in advance by CMA and made available to the construction contractor when needed. In addition, where compatibility between existing systems operated by Caltrans, LAVTA and local jurisdictions is required, staff is recommending that the CMA execute sole source contracts with the appropriate materials vendors. These items will include the Opticom Transit Priority Equipment, EIS Traffic Monitoring Units, and Naztec Signal Control system, which will be installed for Alameda County to be compatible with the existing system in the Tri-Valley area. These will be provided to the construction contractor as agency supplied materials. The existing vendors have supplied these materials to the various jurisdictions in the past and using these vendors for these items will ensure compatibility. The estimated maximum cost of the advance procurement items to be purchased is approximately \$1,500,000.

Action 2:

The CMA is responsible for construction administration and management of the I-580 TMP/Advance Elements Project. Staff anticipates evaluating and selecting a qualified consultant to provide the necessary support for the construction administration, management and inspection of this project. Staff further anticipates contracting with the selected consultant prior to the start of construction to assist with bid packaging, quality assurance and constructability reviews. The estimated maximum cost for these services is approximately \$1,250,000.

Requisite Agreements for the I-580 TMP/Advance Elements Project

ATTACHMENT A

The I-580 TMP/Advance Elements Project will have all field devices in place, tested and functional before the construction of the EB I-580 Interim HOV Lane Project. The project will enable Caltrans, the CMA and local agencies to manage construction impacts and incidents and to provide real-time traffic and incident management in the corridor. The project will provide transit signal priority on designated major arterials in the Tri-Valley, providing infrastructure to support an express bus route during HOV construction, thereby promoting mass transit usage. The I-580 TMP/Advance Elements Project also includes Dynamic Message Signs (DMS), closed circuit TV (CCTV) cameras, Highway Advisory Radios (HAR), Extinguishable Message Signs (EMS), monitoring stations and ramp metering equipment (ramp meters will not be activated at this time) along the following routes:

- Along I-580 from west of Foothill Road to east of the Greenville Overhead , a distance of approximately 13.1 miles;
- Along I-680 from Sheridan Road to north of Alcosta Boulevard, a distance of approximately 13.8 miles (of which approximately 0.3 miles is in Contra Costa County); and
- Along SR 84 from I-680 to I-580, a distance of approximately 11.0 miles.

Action 1:

Because of the current market conditions caused by heightened construction activity, many items, especially electrical items, have a long lead time between ordering and delivery. Several items must be ordered 4-6 months in advance of when needed. There are several items in the I-580 TMP/Advance Elements Projects, such as Dynamic Message Signs (DMSs) and poles that are known to have a long lead time. The intent is to have these items available to the construction contractor when needed to expedite the overall construction sequence and the completion of the project. Staff proposes to procure these long lead items by separate contract in advance of advertising the construction contract. Staff anticipates that the TMP will be fully operational prior to construction of the I-580 EB Interim HOV Lane Project; consequently it is imperative that this project not be subject to schedule extensions that can be avoided.

Furthermore, certain elements of the I-580 TMP/Advance Elements Project must be compatible with the existing systems operated by Caltrans, LAVTA and the local jurisdictions. To ensure compatibility with the existing systems, a number of items will be agency furnished items including the Opticom Transit Priority Equipment, EIS Traffic Monitoring Units, and Naztec Signal Control system which will be installed for Alameda County to be compatible with the existing SMART Corridors system in the Tri-Valley area. LAVTA anticipates using the Opticom Transit Signal Priority equipment to operate express bus routes. The Naztec Signal Control system will be installed in Alameda County to allow concurrent monitoring of the three Tri-Valley agencies and Alameda County traffic signal controls in the project corridor. Staff is recommending that sole source contracts be awarded where compatibility with existing infrastructure is necessary.

All of these materials are manufactured outside of Alameda County and therefore will not contribute to the CMA's SBE and LBE policy.

These long lead items are necessary for the expedited completion of the project construction. It is recommended that the Executive Director, or his designee, be authorized to execute a procurement agreement(s) for the long lead and sole-source items for work discussed herein.

Action 2:

The CMA will be administering and managing the construction of this project, which is anticipated in fall of 2006. The CMA needs to solicit consultant support for the construction administration, management and inspection of this project. The consultant services may include the following:

- Provide constructability and reasonableness reviews of the plans, specifications and estimate;
- Assist in the bidding process including preparation of bid package, advertisement, pre-bid meeting, responding to requests for information during the bid period, bid evaluation and award;
- Provide construction administration, management, inspection and testing services; and
- Provide construction closeout services.

The schedule for the RFP process is:

Release of RFP	May 2006
Proposals due	May 2006
Interviews	June 2006
Contract Execution	June 2006

This agreement will be subject to CMA's Small Business Enterprise (SBE) and Local Business Enterprise (LBE) policy of encouraging use of SBEs and LBEs.

Implementing this agreement in May 2006 will ensure sufficient time to have the constructability and reasonableness review before advertisement of the construction bid package. It is recommended that the Executive Director, or his designee, be authorized to release a RFP and execute all necessary agreements with the selected consultant.



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*Agenda Item 6.4.4
April 27, 2006*

DATE: April 18, 2006
TO: CMA Board
FROM: Administration and Legislative Committee
SUBJECT: Transit Oriented Development Technical Assistance Program

Action Requested:

In September 2005, the Board authorized a pilot TOD Technical Assistance Program, or TOD TAP to help TOD project sponsors overcome barriers to advancing TOD projects in Alameda County. The budget for the program is \$40,000, consisting of \$25,000 approved by ACTIA and \$15,000 from CMA's Transportation and Land Use (T Plus) program, funded by MTC. It is recommended that the Board authorize the Executive Director, or his designee, to execute all necessary agreements with the Alameda County Transportation Improvement Authority (ACTIA) for the Transit Oriented Development Assistance (TOD TAP) Program in the amount of \$25,000.

Discussion:

The TOD TAP program was established to focus on providing technical expertise to help advance TOD projects at eight sites in the Countywide Transportation Plan and make the information from those sites available for other TOD sites in Alameda County. The eight TOD sites identified in the Countywide Transportation Plan: MacArthur, Coliseum, West Oakland, San Leandro, Union City, Dublin/Pleasanton, Ashby/Ed Roberts, and Warm Springs.

The TOD TAP Program will provide a pool of on-call consultants to provide technical assistance to project sponsors in topics identified as challenges to advancing TODs in Alameda County. The topics identified by project sponsors for consultant expertise are stormwater regulations and alternative design and alternative parking solutions to address parking requirements at TODs. The TOD TAP program will be reviewed in one year to assess its utility in advancing TOD projects.

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ASSEMBLY BILL

No. 2113

Introduced by Assembly Member Aghazarian

February 17, 2006

An act relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2113, as introduced, Aghazarian. Transportation: goods movement.

Existing law authorizes various state agencies and departments to facilitate the movement of goods within the state.

This bill would declare the intent of the Legislature to enact legislation to facilitate improvement in the movement of goods in northern California, specifically to and from the Port of Oakland and the Central Valley region.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. It is the intent of the Legislature to enact
- 2 legislation to facilitate improvement in the movement of goods in
- 3 northern California, specifically to and from the Port of Oakland
- 4 and the Central Valley region.

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CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2873

Introduced by Assembly Member Wolk

February 24, 2006

An act to amend Section 29530 of the Government Code, and to add Section 7203.25 to the Revenue and Taxation Code, relating to local government finance.

LEGISLATIVE COUNSEL'S DIGEST

AB 2873, as introduced, Wolk. County sales and use taxes: rate increase

The Bradley-Burns Uniform Local Sales and Use Tax Law (Bradley-Burns Law) authorizes a county and a city and county to impose a local sales and use tax, and similarly authorizes a city, located within a county imposing such a tax rate, to impose a local sales tax rate that is credited against the county rate. Existing law requires a city, county, or city and county imposing a local sales and use tax pursuant to the Bradley-Burns Law to contract with the State Board of Equalization to administer the local sales and use tax. Existing law authorizes a county or city and county to contract with the State Board of Equalization to establish a local transportation fund in the county treasury for the deposit of $\frac{1}{4}$ of 1% of the revenues collected for the county or city and county under the Bradley-Burns Law for specified transportation purposes.

This bill would authorize a county or city and county to impose an additional $\frac{1}{4}$ of 1% sales and use tax rate under the Bradley-Burns Law. This bill would require a county or city and county that imposes this additional rate to deposit all revenues derived therefrom, less specified administrative costs, into a local transportation fund, as specified. This bill would also require a county or a city and county

that imposes this additional tax to comply with the applicable voter-approval requirements of a specified provision of the California Constitution.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 29530 of the Government Code is
2 amended to read:
3 29530. (a) If the board of supervisors so agrees by contract
4 with the State Board of Equalization, the board of supervisors
5 shall establish a local transportation fund in the county treasury
6 and shall deposit in the fund all revenues transmitted to the
7 county by the State Board of Equalization under Section 7204 of
8 the Revenue and Taxation Code, which are derived from that
9 portion of the taxes imposed by the county at a rate in excess of 1
10 percent, and on and after July 1, 2004, until the rate
11 modifications in subdivision (a) of Section 7203.1 of the
12 Revenue and Taxation Code cease to apply, at a rate in excess of
13 three-quarters of 1 percent, pursuant to Part 1.5 (commencing
14 with Section 7200) of Division 2 of that code, less an allocation
15 of the cost of the services of the State Board of Equalization in
16 administering the sales and use tax ordinance related to the rate
17 in excess of 1 percent, and on and after July 1, 2004, until the
18 rate modifications in subdivision (a) of Section 7203.1 of the
19 Revenue and Taxation Code cease to apply, to the rate in excess
20 of three-quarters of 1 percent, and of the Director of
21 Transportation and the Controller in administering the
22 responsibilities assigned to him or her in Chapter 4 (commencing
23 with Section 99200) of Part 11 of Division 10 of the Public
24 Utilities Code.
25 (b) (1) *The board of supervisors of a county or city and*
26 *county that imposes a tax pursuant to Section 7203.25 of the*
27 *Revenue and Taxation Code shall contract with the State Board*
28 *of Equalization to establish a local transportation fund in the*
29 *county or city and county treasury, and shall deposit in the fund*
30 *all revenues transmitted to the county or city and county by the*
31 *State Board of Equalization under Section 7204 of the Revenue*
32 *and Taxation Code that are derived from that portion of the taxes*

1 imposed by the county or city and county under Section 7203.25
2 of the Revenue and Taxation Code, less an allocation of the cost
3 of the services of the State Board of Equalization in
4 administering the sales and use tax ordinance related to that rate
5 and the Director of Transportation and the Controller in
6 administering the responsibilities assigned to him or her in
7 Chapter 4 (commencing with Section 99200) of Part 11 of
8 Division 10 of the Public Utilities Code.

9 (2) The board of supervisors of a county or city and county
10 that has established a local transportation fund under
11 subdivision (a) is deemed to have established the local
12 transportation fund described in paragraph (1). The board of
13 supervisors shall deposit into that fund all revenues described in
14 paragraph (1).

15 (c) Any interest or other income earned by investment or
16 otherwise of the local transportation fund shall accrue to and be a
17 part of the fund.

18 SEC. 2. Section 7203.25 is added to the Revenue and
19 Taxation Code, to read:

20 7203.25. (a) Notwithstanding any other provision of law, on
21 and after January 1, 2006, a county and a city and county may,
22 for the purposes specified in subdivision (b) of Section 29530 of
23 the Government Code, impose a sales and use tax rate of
24 one-quarter of 1 percent, in addition to the rates authorized by
25 Sections 7202 and 7203, for the privilege of selling tangible
26 personal property at retail in the county or city and county, and
27 upon the storage, use or other consumption in the county or city
28 and county of tangible personal property purchased from any
29 retailer for storage, use or other consumption in the county or
30 city and county.

31 (b) A county and city and county that imposes a tax pursuant
32 to subdivision (a) shall comply with both of the following:

33 (1) All other applicable provisions of this part.

34 (2) The applicable voter-approval requirements of Section 2 of
35 Article XIII C of the California Constitution when the county or
36 city and county imposes, extends, or increases the tax authorized
37 by this section.

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CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2538

Introduced by Assembly Member Wolk

February 23, 2006

An act to amend Section 14527 of the Government Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2538, as introduced, Wolk. Transportation funds: planning and programming regional agencies.

Existing law generally provides for programming and allocation of funds for transportation capital improvement projects through the State Transportation Improvement Program process administered by the California Transportation Commission. Existing law requires 25% of available funds to be programmed and expended on interregional improvement projects nominated by the Department of Transportation, and 75% of available funds to be programmed and expended on regional improvement projects nominated by regional transportation planning agencies or county transportation commissions, as applicable, through adoption of a regional transportation improvement program. Existing law authorizes a transportation planning agency or county transportation commission to request and receive up to 1% of regional improvement fund expenditures for the purposes of project planning, programming, and monitoring, but authorizes an amount up to 5% of those expenditures for a transportation planning agency or county transportation commission not receiving federal metropolitan planning funds.

This bill would instead authorize each transportation planning agency or county transportation commission to request and receive up to 5% of those funds for the purposes of project planning,

programming, and monitoring. The bill would also establish a minimum amount to be allocated for this purpose. The bill would change the references to “regional improvement funds” to instead refer to “county shares.” The bill would make other conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 14527 of the Government Code is
2 amended to read:
3 14527. (a) After consulting with the department, the regional
4 transportation planning agencies and county transportation
5 commissions shall adopt and submit to the commission and the
6 department, not later than December 15, 2001, and December 15
7 of each odd-numbered year thereafter, a five-year regional
8 transportation improvement program in conformance with
9 Section 65082. In counties where a county transportation
10 commission ~~or authority~~ has been created pursuant to Chapter 2
11 (commencing with Section 130050) of Division 12 of the Public
12 Utilities Code, ~~the that~~ commission ~~or the authority~~ shall adopt
13 and submit the county transportation improvement program, in
14 conformance with Sections 130303 and 130304 of that code, to
15 the multicounty designated transportation planning agency. Other
16 information, including a program for expenditure of local or
17 federal funds, may be submitted for information purposes with
18 the program, but only at the discretion of the transportation
19 planning agencies or the county transportation commissions. *As*
20 *used in this section, “county transportation commission”*
21 *includes a transportation authority created pursuant to Chapter*
22 *2 (commencing with Section 130050) of Division 12 of the Public*
23 *Utilities Code.*
24 (b) The regional transportation improvement program shall
25 include all projects to be funded with ~~regional improvement~~
26 ~~funds~~ *the county share* under paragraph (2) of subdivision (a) of
27 Section 164 of the Streets and Highways Code. The regional
28 programs shall be limited to projects to be funded in whole or in
29 part with ~~regional improvement funds~~ *the county share* that shall
30 include all projects to receive allocations by the commission

1 during the following five fiscal years. For each project, the total
2 expenditure for each project component and the total amount of
3 commission allocation and the year of allocation shall be stated.
4 The total cost of projects to be funded with ~~regional~~
5 ~~improvement funds~~ *the county share* shall not exceed the amount
6 specified in the fund estimate made by the commission pursuant
7 to Section 14525.

8 (c) The regional transportation planning agencies and county
9 transportation commissions may recommend projects to improve
10 state highways with ~~the interregional-improvement funds share~~
11 pursuant to subdivision (b) of Section 164 of the Streets and
12 Highways Code. The recommendations shall be separate and
13 distinct from the regional transportation *improvement* program. A
14 project recommended for funding pursuant to this subdivision
15 shall constitute a usable segment and shall not be a condition for
16 inclusion of other projects in the regional transportation
17 improvement program.

18 (d) The department may nominate or recommend the inclusion
19 of projects in the regional transportation improvement program
20 to improve state highways with ~~regional-transportation~~
21 ~~improvement funds~~ *the county share* pursuant to paragraph (2) of
22 subdivision (a) ~~and subdivision (e)~~ of Section 164 of the Streets
23 and Highways Code. A regional transportation planning agency
24 and a county transportation commission shall have sole authority
25 for determining whether any of the project nominations or
26 recommendations are accepted and included in the regional
27 transportation improvement program adopted and submitted
28 pursuant to this section. This authority provided to a regional
29 transportation planning agency or to a county transportation
30 commission extends only to a project located within its
31 jurisdiction.

32 (e) Major projects shall include current costs updated as of
33 November 1 of the year of submittal and escalated to the
34 appropriate year, and shall be consistent with, and provide the
35 information required in, subdivision (b) of Section 14529.

36 (f) The regional transportation improvement program may not
37 change the project delivery milestone date of any project as
38 shown in the prior adopted state transportation improvement
39 program without the consent of the department or other agency
40 responsible for the project's delivery.

- 1 (g) Projects may not be included in the regional transportation
2 improvement program without a complete project study report or,
3 for a project that is not on a state highway, a project study report
4 equivalent or major investment study.
- 5 (h) ~~The Each~~ transportation planning ~~agencies~~ agency and
6 county transportation ~~commissions~~ commission may request and
7 receive an amount not to exceed ~~1~~ 5 percent of ~~their regional~~
8 ~~improvement fund expenditures~~ *its county share* for the purposes
9 of project planning, programming, and monitoring. ~~A~~
10 ~~transportation planning agency or county transportation~~
11 ~~commission not receiving federal metropolitan planning funds~~
12 ~~may request and receive an amount not to exceed 5 percent of its~~
13 ~~regional improvement fund expenditures for the purposes of~~
14 ~~project planning, programming, and monitoring~~ *In no case shall*
15 *these amounts be less than the respective percentage of the*
16 *county share for a state transportation improvement program of*
17 *one billion two hundred fifty million dollars (\$1,250,000,000) per*
18 *year.*
- 19 (i) *For the purposes of this section, "county share" shall mean*
20 *"regional improvement funds" and "interregional share" shall*
21 *mean interregional improvement funds.*

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AMENDED IN SENATE MARCH 28, 2006

SENATE BILL

No. 1812

Introduced by Senator Runner

February 24, 2006

An act to add Section 820.1 to the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1812, as amended, Runner. Department of Transportation: surface transportation project delivery pilot program.

Existing law gives the Department of Transportation full possession and control of state highways and associated property. Existing federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery pilot program, as specified. The Secretary is authorized to permit up to 5 states, including California, to participate in the program and California has agreed to that participation.

This bill would authorize the Director of Transportation to consent to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities assumed pursuant to the surface transportation project delivery pilot program, and would make related provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 820.1 is added to the Streets and
- 2 Highways Code, to read:

1 820.1. (a) The director is authorized to consent to the
2 jurisdiction of the federal courts with regard to the compliance,
3 discharge, or enforcement of the responsibilities assumed by the
4 department pursuant to *Section 326 of, and* subsection (a) of
5 Section 327 of, Title 23 of the United States Code.
6 (b) Consent to the jurisdiction of the federal courts pursuant to
7 subdivision (a) shall constitute a waiver of the state's Eleventh
8 Amendment protection against lawsuits brought in federal court.
9 *The waiver, as applied to Section 326 of Title 23 of the United*
10 *States Code, shall expire at the end of three years if the*
11 *assumption of responsibilities is not renewed, or if the*
12 *assumption of responsibilities is terminated under subsection (d)*
13 *of Section 326 of Title 23 of the United States Code.* The waiver,
14 *as applied to subsection (a) of Section 327 of Title 23 of the*
15 *United States Code,* shall expire upon termination of the
16 program, or of the state's participation in the program, under
17 subsection (i) of Section 327 of Title 23 of the United States
18 Code, except that the waiver shall remain in effect for any
19 responsibility carried out by the state prior to that termination.

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AMENDED IN SENATE JANUARY 5, 2006

AMENDED IN ASSEMBLY APRIL 28, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 573

Introduced by Assembly Member Wolk

February 16, 2005

An act to add Section 2782.8 to the Civil Code, relating to indemnity.

LEGISLATIVE COUNSEL'S DIGEST

AB 573, as amended, Wolk. ~~Construction contracts—Design professionals: indemnity.~~

Existing law provides that agreements contained in or affecting any construction contract that purport to indemnify the promisee against liability for damages for death or bodily injury to persons, injury to property, or any other loss, damage, or expense arising from the sole negligence or willful misconduct of the promisee or the promisee's agents, servants, or independent contractors who are directly responsible to the promisee, or for defects in design furnished by those persons, are against public policy and are void and unenforceable, except as specified. *Existing law also provides that provisions, clauses, covenants, or agreements relating to construction contracts with a public agency that purport to impose on the contractor, or relieve the public agency from liability for the active negligence of the public agency, are void and unenforceable.*

~~This bill would state the intent the Legislature to enact legislation governing the use of indemnification and additional insured provisions in construction contracts with respect to construction defect disputes, as specified authorize a public agency to require, in an~~

□

agreement or contract entered into on or after January 1, 2007 with a design professional, as defined, that the design professional indemnify, defend, or hold harmless the public agency, or its officers and employees, or both, from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness, or willful misconduct of the design professional and other persons employed by the design professional in the performance of the agreement or contract. Except as permitted by this provision, the bill would prohibit the public agency from requiring the design professional to defend, indemnify, or hold harmless the public agency or its officers and employees from any claim, action, or proceeding against the public agency.

Vote: ☐ majority. Appropriation: ☐ no. Fiscal committee: ☐ no.
State ☐ mandated local program: ☐ no.

The people of the State of California do enact as follows:

1 SECTION 1. ☐ Section 2782.8 is added to the Civil Code, to
2 read:

3 2782.8. (a) A public agency may require, in an agreement or
4 contract with a design professional, that the design professional
5 indemnify, defend, or hold harmless the public agency, or its
6 officers and employees, or both, from liabilities, damages, losses,
7 and costs, including, but not limited to, reasonable attorney's
8 fees, to the extent caused by the negligence, recklessness, or
9 willful misconduct of the design professional and other persons
10 employed by the design professional in the performance of the
11 agreement or contract.

12 (b) Except as provided in subdivision (a), if a design
13 professional provides professional services to or for a public
14 agency, the public agency shall not require the design
15 professional to defend, indemnify, or hold harmless the public
16 agency or its officers and employees from any claim, action, or
17 proceeding against the public agency.

18 (c) For purposes of this section, the following definitions
19 apply:

20 (1) "Public agency" includes any county, city, city and county,
21 district, school district, public authority, municipal corporation,
22 or other political subdivision, joint powers authority, or public

1 corporation in the state. Public agency does not include the State
2 of California.

3 (2) "Design professional" includes all of the following:

4 (A) An individual licensed as an architect pursuant to Chapter
5 3 (commencing with Section 5500) of Division 3 of the Business
6 and Professions Code, and a business entity offering
7 architectural services in accordance with that chapter.

8 (B) An individual registered as a professional engineer
9 pursuant to Chapter 7 (commencing with Section 6700) of
10 Division 3 of the Business and Professions Code, and a business
11 entity offering professional engineering services in accordance
12 with that chapter.

13 (C) An individual licensed as a professional land surveyor
14 pursuant to Chapter 15 (commencing with Section 8700) of
15 Division 3 of the Business and Professions Code, and a business
16 entity offering professional land surveying services in
17 accordance with that chapter.

18 (d) This section shall only apply to a professional service
19 agreement or contract entered into on or after January 1, 2007.

20 ~~SECTION 1. It is the intent of the Legislature to enact~~
21 ~~legislation governing the use of indemnification and~~
22 ~~additional insured provisions in construction contracts with~~
23 ~~respect to construction defect disputes in order to expedite the~~
24 ~~fair and efficient resolution of these disputes and to address the~~
25 ~~availability and cost of liability insurance for builders,~~
26 ~~contractors, subcontractors, design professionals, and others, as~~
27 ~~well as addressing the cost of housing.~~

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ASSEMBLY BILL

No. 1974

Introduced by Assembly Member Walters

February 9, 2006

An act to add Section 149.7 to the Streets and Highways Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

AB 1974, as introduced, Walters. High-occupancy vehicle lanes.

Existing law provides that the Department of Transportation has full possession and control of the state highway system. Existing law provides for the designation of exclusive or preferential lanes on state highways for buses and other high-occupancy vehicles. Existing law also provides for specified high-occupancy vehicle (HOV) lanes to be designated as high-occupancy toll (HOT) lanes, for use by single-occupancy vehicles upon payment of a toll.

This bill would authorize any county board of supervisors, by resolution, to authorize the use of HOV lanes on the state highway system within the county by any highway vehicle, providing that this use is consistent with federal law.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 149.7 is added to the Streets and
- 2 Highways Code, to read:
- 3 149.7. Notwithstanding any other provision of law, any
- 4 county board of supervisors, by resolution, may authorize, and
- 5 the department accordingly shall implement, the use of

- 1 high-occupancy vehicle lanes on the state highway system within
- 2 that county by any highway vehicle, providing that this use is
- 3 consistent with the requirements of federal law.

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ASSEMBLY BILL

No. 2621

Introduced by Assembly Member Strickland

February 24, 2006

An act to add Section 6353.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

LEGISLATIVE COUNSEL'S DIGEST

AB 2621, as introduced, Strickland. Sales and use taxes: exemption: gasoline.

The Sales and Use Tax Law imposes a tax on the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property. That law provides various exemptions from that tax.

This bill would provide an additional exemption for motor vehicle fuel, as defined.

Counties and cities are authorized to impose local sales and use taxes in conformity with state sales and use taxes. Exemptions from state sales and use taxes enacted by the Legislature are incorporated into the local taxes.

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions.

This bill would provide that, notwithstanding Section 2230 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for sales and use tax revenues lost by them pursuant to this bill.

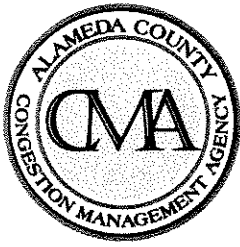
This bill would take effect immediately as a tax levy, but its operative date would depend on its effective date.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 6353.5 is added to the Revenue and
- 2 Taxation Code, to read:
- 3 6353.5. There are exempted from the taxes imposed by this
- 4 part, the gross receipts from the sale in this state of, and the
- 5 storage, use, or other consumption in this state of, motor vehicle
- 6 fuel, as defined by Section 7304.
- 7 SEC. 2. Notwithstanding Section 2230 of the Revenue and
- 8 Taxation Code, no appropriation is made by this act and the state
- 9 shall not reimburse any local agency for any sales and use tax
- 10 revenues lost by it under this act.
- 11 SEC. 3. This act provides for a tax levy within the meaning of
- 12 Article IV of the Constitution and shall go into immediate effect.
- 13 However, the provisions of this act shall become operative on the
- 14 first day of the first calendar quarter commencing more than 90
- 15 days after the effective date of this act.

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ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

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Memorandum

*April 27, 2006
Agenda Item 7.1*

DATE: April 18, 2006
TO: CMA Board
FROM: Plans and Programs Committee
RE: Transportation Fund for Clean Air (TFCA):
Exchange Proposal & Guaranteed Ride Home Program

Action Requested

The Metropolitan Transportation Commission (MTC) and the Bay Area Air Quality Management District (BAAQMD) are partnering in a \$2.25 million joint MTC-BAAQMD-Port of Oakland Truck Replacement Program and MTC has requested the CMA's assistance in exchanging funds. Congestion Mitigation and Air Quality (CMAQ) funds are not eligible to fund approximately \$2 million of this project. TFCA funds could be used for the \$2 million component of this project. In addition to this exchange, TFCA funding is necessary to continue the Guaranteed Ride Home program in 2006-7. It is recommended that the Board: (1) approve the exchange of up to \$2 million of TFCA funds in 2007-8 and 2008-9 with MTC/Air District for CMAQ funds; and (2) approve Resolution 05-07 Amended to modify the 2006-07 TFCA program to include up to \$150,000 for the Guaranteed Ride Home Program.

Next Steps

Upon CMA Board approval, staff will work with the BAAQMD and MTC on the exchange proposal and with the BAAQMD on the programming of the FY 2006/07 TFCA funds.

Discussion

Exchange Proposal

MTC staff has contacted CMA staff regarding the exchange of TFCA funds for CMAQ funds. In the past, the CMA, BAAQMD, and MTC partnered to facilitate a TFCA/CMAQ exchange to assist in the funding of the BAAQMD sponsored Vehicle Buy Back Program. MTC and the BAAQMD are partnering in a \$2.25 million joint MTC-BAAQMD-Port of Oakland Truck Replacement Program. CMAQ funds are not eligible to fund approximately \$2 million of this project. TFCA funds could be used for the \$2 million component of this project. The CMA's TFCA program has approximately \$1 million of programming capacity in FY 2007/08 as well as additional capacity in future program years that could meet MTC's requirements for a proposed exchange for CMAQ funds. ACTAC and the PPC recommended approval of the proposed exchange and to consider the exchange funds in any Coordinated Program call for projects this summer.

FY 2006/07 TFCA Program Amendment – Guaranteed Ride Home Program

The CMA has funded the Guaranteed Ride Home program through the TFCA program for the last seven years. With the exchange of TFCA for CMAQ funds approved by the CMA Board last year, all the Alameda TFCA funds were devoted to the Vehicle Buy Back program administered by the BAAQMD. The Vehicle Buy Back exchange used TFCA funds from FY 2005/06, 2006/07, and a portion of FY 2007/08. The Guaranteed Ride Home program has requested \$150,000 for ongoing program operations for FY 2006/07. Staff proposes to defer \$150,000 of the exchange of TFCA funds to the Vehicle Buy Back Program to FY 2007/08 and using the available program capacity to fund the Guaranteed Ride Home Program. This funding would be programmed against the Transit Discretionary component of the Alameda TFCA program. The PPC recommended approval of the programming. With the approval of this amendment, the timing of the programming available for the aforementioned exchange will be affected.

**ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY
RESOLUTION 05-07 - AMENDED**

WHEREAS, the Alameda County Congestion Management Agency (ACCMA) has been designated as the overall Program Manager for the Transportation Fund for Clean Air (TFCA) for Alameda County by the Alameda County Board of Supervisors and the city councils of a majority of the cities representing a majority of the population of the incorporated area of Alameda County; and

WHEREAS, the ACCMA finds the action taken in this Resolution to be consistent with the intent of the enabling resolutions designating the ACCMA as Alameda County's overall program manager;

NOW, THEREFORE BE IT RESOLVED, that the ACCMA Board approves the programming of \$3,134,248 in FY 2005-06, \$2,000,000 in FY 2006-07, and \$892,455 in FY 2007-08 for a total of \$6, 026,803 of TFCA funds, and

BE IT FURTHER RESOLVED, that \$676,803 is programmed to 2005/06 70% City/County Guaranteed projects detailed in Exhibit A, and

BE IT FURTHER RESOLVED, that \$150,000 is programmed to 2006/07 30% Transit Discretionary projects detailed in Exhibit A, and

BE IT FURTHER RESOLVED, that \$5,200,000 is programmed to the TFCA/CMAQ exchange project that will fund the BAAQMD sponsored Vehicle Scrappage Project also detailed in Exhibit A, using Alameda County TFCA Program Manager funds from FY 2005-06 to FY 2007-08, and

BE IT FURTHER RESOLVED, that the ACCMA authorizes the Executive Director to execute any necessary fund transfer agreements related to this programming with the Bay Area Air Quality Management District, project sponsors, and MTC.

DULY PASSED AND ADOPTED by the ACCMA at the regular ACCMA Board meeting held on Thursday, April 27, 2006 in Oakland, California, by the following vote:

AYES: **NOES:** **ABSTAIN:** **ABSENT:**

SIGNED:

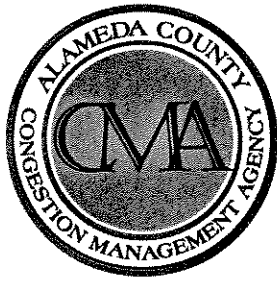
Larry Reid, Chairperson

ATTEST:

Christina Muller, Board Secretary

**2005-2006, 2006/2007 and 2007/2008 Program
Transportation Fund for Clean Air (TFCA)
Program Manager Funds**

Sponsor	Project Title	TFCA Requested	Project Description
2005/06 Program Manager Funds			
BART	Electronic bicycle lockers at 3 BART Stations.	\$ 50,000	Project installs (16) new electronic bicycle lockers at Berkely, San Leandro and the Dublin/Pleasanton statitons. BART will administer the project and use City Guarantee funding from Berkeley (\$20,000), Dublin (\$10,000) and San Leandro (\$20,000) - 70% Guarantee Program
Berkeley	Berkeley Citywide Bicycle Parking Program	\$ 25,000	Will identify areas of ongoing unmet demand for bicycle parking and install 150 new bicycle racks that provide an improved degree of security, utility, cost effectiveness and integration with the City's existing sidewalks and roadways - 70% Guarantee Program
Livermore	Arroyo Mocho Bike/Ped Trail Extension	\$ 86,803	Trail extension will link the Arroyo Mocho Bike/Ped Trail with the South Livermore Valley Wine Trail thereby closing an existing gap between the two regional bicycle trails - 70% Guarantee Program
ACCMA/Oakland	E. 14th Street Arterial Management Signal Timing Plan	\$ 395,000	Project will install hardwired interconnect, new signal timing and transit signal priority system along E. 14th street from Dutton Avenue to Hegenberger Road - 70% Guarantee Program
Union City	Compressed Natural Gas Facility Improvements	\$ 120,000	Project will retrofit the maintenance garage to account for increase in CNG vehicles utilizing the TFCA funded Union City CNG fueling station - 70% Guarantee Program
Subtotal		\$ 676,803	
2006/07 Program Manager Funds			
ACCMA	Guaranteed Ride Home Program	\$ 150,000	Provides funding for the continued operation of the Countywide Guaranteed Ride Home Program. ACCMA will administer the project and use Transit Discretionary funding.
Exchange Project	BAAQMD- Vehicle Scrappage Program	\$ 5,200,000	Air District program facilitates buying cars, from the public, manufactured prior to 1984. MTC will provide a like amount of CMAQ funds to the ACCMA to complete the exchange - Combination of the 70% Guarantee Program and Transit Discretionary Program
TOTAL		\$ 6,026,803	



ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

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Memorandum

*April 27, 2006
Agenda Item 7.2*

Date: April 18, 2006
To: CMA Board
From: Plans and Programs Committee
Subject: **East Bay SMART Corridors Program: Strategy to fund Operations and Maintenance (O&M) Activities**

Action Requested

It is recommended that the Board approve the following actions relative to the SMART Corridors Operation and Maintenance Funding Plan for 2006-7:

1. Provide the Alameda Cities/County contribution to the plan through the programming of \$49,921 in CMAQ funds resulting from a previous TFCA exchange to SMART Corridors operations and maintenance costs.
2. Program \$98,095 in CMA TIP funds to cover the Alameda County CMA's contribution to the O&M plan.
3. Send a letter to MTC requesting \$85,391 be made available as the Regional Share to the O&M plan.

Discussion

For the last several months, ACCMA staff has analyzed the O&M funding situation for SMART Corridors Program. Staff presented draft reports to both ACTAC and PPC in March 2006, and have received comments regarding the Draft Report. Based on input from ACTAC and PPC, staff is recommending a funding plan that will be able to maintain the SMART Corridors operations at a minimal level, until a long term funding plan is identified.

Anticipated Monthly Costs

Based on staff assessment, the basic costs for the O&M plan is approximately \$55,325 per month or \$663,900 annually, for existing I-80 and I-880 corridors. The basic costs for the minimal, sustainable operation do not include any costs associated with contingencies, software maintenance, and upgrades of hardware.

Current O&M Funding situation

To date, an estimated \$2,758,480 of revenue has been received to meet O&M costs of the SMART Corridors Program (SCP). As of March 1, 2006, a total of \$2,311,180 has been spent on SCP O&M costs. This leaves a balance of \$413,900 in remaining funds. Based on \$55,325 monthly expenditure, \$221,300 will be spent this fiscal year or until June 30, 2006. Therefore, the remaining available funds for fiscal year 2006-2007 (July 1, 2006 to June 30, 2007) is \$226,000. In order to sustain the program, an additional \$413,900 is required between July 1, 2006 to June 30, 2007.

CMA has currently received commitments from AC Transit and WCCTAC for \$137,424 and \$100,642 respectively for fiscal year 2006-2007, for a total of \$238,066. WestCAT has decided to pay the O&M costs directly and will not be in the program in the future. With the current available funds, an additional \$233,407 is needed to close the gap. The table below shows the current and proposed funding distribution by the agencies based on the funding distribution plan previously adopted by the CMA Board. The optimum funding column is shown for information only.

Table 1: Operations and Management Funding Plan

ITEM	Fiscal Year 2006 – 2007					
	Agency Share Optimum Ops	Estimated Share Min. Ops Cost	Remaining Funding Available	Min. Funding Needed for Jul 06-Jun 07	Current Commitment	Additional Funding Needed
TRANSIT AGENCIES						
AC Transit	\$137,424	\$137,424	\$0	\$137,424	\$137,424	\$0
WestCAT	Will be paid directly by WestCAT ¹					
REGIONAL AGENCIES (1/3 of Costs)						
MTC	\$295,768	\$167,492	\$82,101	\$85,391	\$0	\$85,391
CMA's (1/3 of Costs)						
ACCMA (Mileage Based)	\$215,821	\$122,218	\$24,123	\$98,095	\$0	\$98,095
CCTA (Mileage Based)	\$79,947	\$45,274	\$25,487	\$19,787	\$0	\$0 ²
LOCAL AGENCIES (1/3 of Costs)						
Alameda County Local Agencies	\$201,702	\$114,223	\$64,301	\$49,921	\$0	\$49,921
Contra Costa County Local Agencies	\$94,067	\$53,270	\$29,988	\$23,282	\$100,642	\$0
TOTAL	\$1,024,729	\$639,900	\$226,000	\$413,900	\$238,066	\$233,407

¹ WestCAT required services included AVL airtime and equipment maintenance and repair.

² CCTA's participation is expected to be covered by WCCTAC through local Contra Costa agencies' contribution. If the amount of contribution is not realized, then CCTA's required contribution will be \$19,787.

Assuming a mileage based cost distribution, Table 2 shows the funding that would be required from each of the participating Alameda County agencies to meet the funding commitment. One option to meet this local funding commitment is to program a portion of each of the agencies TFCA guaranteed funds to the O&M. (Note: The FY 06/07 TFCA funds have been exchanged with CMAQ funds)

Table 2: Local Agency O&M Cost Share Based on Mileage

Agency (Ala. Co.)	Mileage by Corridor		Total Mileage	% Mileage	Split	49,921
	San Pablo	I-880				
Alameda (City)			-	0%	\$	-
Alameda County		1.91	1.91	8%	\$	3,960
Albany	1.06		1.06	4%	\$	2,198
Berkeley	2.30		2.30	10%	\$	4,768
Dublin			-	0%	\$	-
Emeryville	0.90		0.90	4%	\$	1,866
Fremont			-	0%	\$	-
Hayward		4.36	4.36	18%	\$	9,039
Livermore			-	0%	\$	-
Newark			-	0%	\$	-
Oakland	2.50	3.25	5.75	24%	\$	11,921
Piedmont			-	0%	\$	-
Pleasanton			-	0%	\$	-
San Leandro		4.09	4.09	17%	\$	8,479
Union City		3.71	3.71	15%	\$	7,691
Totals	6.76	17.32	24.08	100%	\$	49,921

Some agencies have indicated that they may want to pay for their share from local general fund sources and not use the CMAQ/TFCA funds. CMA would give the option to the local agencies to pay for their portion of the funds from their general funds.

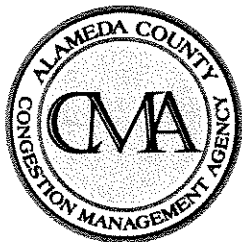
Staff is continuing to work with the partner agencies on a commitment of funds to meet the O&M shortfall. In the event WCCTAC does not provide the full \$100,642 pledge, additional funding from CCTA will be required.

CMA will also contact MTC to request an additional contribution of \$85,391 toward the O&M funding. In the event that CMA staff is unable to obtain a commitment from MTC for allocation of these funds, staff will report back to CMA Board for alternative options.

Next Steps

Staff will continue to work on Vehicle Registration Fee as a long term option for O&M funding for the SMART Corridors program. MTC and Contra Costa County Transportation Authority (CCTA) will also be contacted to provide their fair share of the costs.

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ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

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Memorandum

*April 27, 2006
Agenda Item 7.3*

Date: April 18, 2006
To: CMA Board
From: Plans and Programs Committee
Subject: 2006 State Transportation Improvement Program
Amendments to Alameda County Project List

Action Requested

The California Transportation Commission (CTC) has released the staff recommendations for the 2006 State Transportation Improvement Program (STIP). The CTC is recommending the deletion of several highway projects throughout the State due to the lack of programming capacity for non-transit projects. It is recommended that the Board approve the following modifications to the Alameda County 2006 STIP submittal:

1. Add \$14 million to a new project for AC Transit to purchase 50 new buses.
2. Remove \$9 million programmed to the I-580 HOV Lane and substitute federal funds to be supplied by MTC.
3. Remove \$5 million programmed to the San Leandro sound wall project and substitute federal funds to be supplied by MTC.
4. Remove \$1 million programmed to the Int'l/Telegraph Rapid Bus project and add \$1 million to the AC Transit Bus Component Rehabilitation project in 2007-8.

Other amendments may be necessary as a result of ongoing negotiations with the CTC which may be presented to the Board at the meeting.

Discussion

The CTC is estimating that approximately 83% of the new programming capacity in the 2006 STIP will be from the Public Transit Account (PTA) which is restricted to transit projects. The remaining 17% of the funds can be used for highway or transit projects. In reviewing the 2006 STIP submittals from the Bay Area, the CTC has determined that \$100 million in highway/roadway projects must be deleted from the proposed STIP to meet the funding limitations. Alameda County projects recommended for deletion include \$9 million from the I-580 HOV lane project and \$5 million from the Caldecott Tunnel Project.

Background – AC Transit Bus Purchase

AC Transit has requested funding from MTC for the purchase of 50 new buses. The federal funds typically available for this bus purchase cannot be used since the buses are not American made. MTC has agreed to make \$14 million in federal funds available to the CMA provided the CMA programs \$14 million of STIP funds to the AC Transit bus purchase. Since the PTA funds available in the STIP are not federalized, they can be used for the proposed bus purchase.

In order to create \$14 million of capacity for the AC Transit bus purchase, \$14 million in currently programmed projects must be removed from the STIP. Given the CTC recommendation that \$14 million in non-PTA eligible projects be removed from the Alameda County STIP list, it is recommended that STIP funding for the following two projects be removed from the STIP and the STIP funds be replaced with federal funds:

I-580 Soundwall Project in San Leandro

The 2006 STIP proposal includes \$5.877 million for the construction of soundwalls on I-580 in San Leandro. The CMA is taking the lead on the design of this project using CMA TIP funds and will also administer the construction phase. If STIP funds are used for the construction phase, Caltrans can require that up to 10% of the funds be made available for Caltrans oversight. By replacing the funding with federal funds (and potentially exchanging these federal funds for local funds) Caltrans is required to provide oversight at no cost to the implementing agency. It is recommended that \$5 million of the STIP funds be replaced with federal funds. The remaining \$0.877 million will remain in the STIP to match the federal funds or potentially be exchanged at a future date.

I-580 HOV Lane

The 2006 STIP proposal includes a total of \$26 million for the I-580 HOV lane project in the Tri-Valley. \$17 million of these funds are programmed in FY 06/07 and \$9 million are programmed in FY 09/10. The recommendation to replace the \$9 million in STIP funds with federal funds will provide a more reliable fund source given the uncertainty of funding in future years of the STIP. The federal funds are also available earlier and can be used as early as FY 06/07.

The 2006 STIP also included \$1million of funds for the International/Telegraph Rapid Bus Signal Priority in FY 2006/07. The International/Telegraph project is being implemented by the CMA and is at a point in project delivery where the STIP funds may not be appropriate. Staff proposes to amend the 2006 STIP program to move the \$1 million of funds to the AC Transit Bus Component Rehabilitation in FY 2007/08. AC Transit has proposed to internally exchange the STIP funds that will allow for \$1million of local funds to be used on the corridor.

Attachments



**METROPOLITAN
TRANSPORTATION
COMMISSION**

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
Tel: 510.464.7700
TDD/TTY: 510.464.7769
Fax: 510.464.7848

Memorandum

TO: CMA Directors

DATE: March 28, 2006

FR: Alix Bockelman

RE: MTC's 2006 RTIP Proposal

CTC staff will release the 2006 STIP staff recommendations sometime next week. David Brewer has indicated that the recommendation will include the deletion of significant highway/local roads programming proposed in the RTIP proposals. Roughly \$100 million, in highway/local roads programming in MTC's proposal will be removed.

I have provided a summary of the situation below. As a starting point to address the deprogramming, MTC staff has developed four alternatives. In order to have input into the CTC staff recommendation, MTC must submit comments by this Friday, March 31, 2006.

MTC requests that the CMA directors make time available at your meeting this Friday to determine a plan of action. Feel free to contact me at 510.817.5850.

Background on the 2006 STIP Development

The 2006 STIP Fund Estimate included existing programming from the 2004 STIP and new capacity targets by county. The new capacity, approximately \$150 million in the MTC region, was estimated at 75% Public Transportation Account (for public transportation projects) and 25% Transportation Investment Fund (for highway/roads projects). In the CTC programming instructions, the regions were allowed to program new capacity for PTA-eligible projects in any year and highway/roads projects in the final year of the 2006 STIP. MTC and the CMAs developed an RTIP proposal that abided by the Fund Estimate targets and PTA/highway split as originally instructed – as reflected in the chart below.

2006 MTC RTIP

(\$1,000s)

	2004 Carryover	2004 Carryover % of Total	New 2006 Programming*	% of New 2006 Programming	2006 RTIP Submittal	% of 2006 RTIP Submittal
Highway	331,466	75%	127,231	77%	429,648	74%
PTA	113,274	25%	38,387	23%	151,661	26%
TOTAL	444,740		165,618		581,309	

* New programming includes cost increases, supplemental funds counted against Marin and Sonoma, and technical changes

CTC staff has now informed RTPAs that new programming capacity for highway/roads projects is even less than originally anticipated, closer to 17% of the total new capacity. In order to adjust the region's highway/roads programming within the new capacity, CTC staff will remove between \$90 and \$110 million. Below are several alternatives to rapidly address this situation.

Alternative #1 – Do not modify proposal

Send a letter to the CTC reaffirming our original proposal – stating MTC has abided by the original Fund Estimate targets, continues to subsidize the state with local funding, and urges the CTC to program new capacity highway projects in the final year of the 2006 STIP. Mention that both CMAs and MTC have gone through extensive public input and RTIP development processes that are essential to the RTIP process.

Risk: David Brewer has said that the staff recommendation will remove roughly \$100 million whether we provide input or not. The CTC staff recommendation would likely remove the following highway/roads programming: new projects, new project phases, AB3090 replacements, non-fully funded phases, additional projects as needed to reach roughly \$100 million. Based on an initial conversation with David Brewer, his deleted project list could include:

\$34 M – Caldecott
\$9 M – I-580 Segment 2
\$15 M – SR 4 Widening
\$3 M – AB 3090 Doyle Drive
\$1.7 M – Santa Clara AB 3090
\$13.9 M – New San Mateo projects
\$5 M – Solano Local Roads North of I-80
\$1 M – Vacaville I-80/505 Weave Correction Study

Alternative #2 – County by county percentage based programming

Each county must meet not exceed 17% of new programming for highway/roads projects.

Risk: Although spreading the pain evenly, this approach may not provide flexibility to address project readiness, political realities, and maximizing future STIP allocations in the region.

Alternative #3 – Provide CTC staff with recommendations based on local/regional priorities

Similar to past exercises, CMAs identify roughly \$100 million in highway/roads programming that could be deleted from STIP, taking into consideration local/regional priorities, project schedules, and alternative funding plans. This information would be submitted to CTC staff on Friday, March 31, 2006, as comments before the CTC staff recommendation is released.

Risk: Identifying specific projects for removal without CMA/MTC Board approval, additional public input, and analysis may expose CMA/MTC to additional risk. This could also be premature and allow other regions, that have clearly exceeded their targets, to benefit.

Adding additional PTA-eligible projects

CTC staff was open to adding additional PTA-eligible project after the staff recommendation is released or as an amendment to the adopted 2006 STIP (scheduled for CTC adoption on April 26). If highway/roads funding is essentially not an option with new capacity, we may want to further investigate swap possibilities to maximize STIP allocations during the 2006 cycle.

If we choose this option, MTC staff would bring proposed changes to its Programming and Allocations Committee on April 12 to make the CTC April 26 STIP adoption. If this timeframe is too ambitious, swaps could still be pursued using STIP amendments, though PTA funding is limited.

MTC is seeking input from the CMAs to provide a regional response to CTC staff by the end of business this Friday.

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ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

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AC Transit

Director

Dolores Jaquez

Alameda County

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Nate Milley

Scott Haggerty

Vice Chairperson

City of Alameda

Mayor

Beverly Johnson

City of Albany

Mayor

Allan Marie

BART

Director

Thomas Blalock

City of Berkeley

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Councilmember

Jeff Weller

City of Pleasanton

Mayor

Jennifer Hosterman

City of San Leandro

Mayor

Shelia Young

City of Union City

Mayor

Mark Green

Executive Director

Dennis R. Fay

April 11, 2006

John Barna

Executive Director

CTC

1120 N Street, Room 2221 (MS-52)
Sacramento, CA 95814

RE: 2006 STIP: CTC Staff Recommendations

Dear Mr. Barna:

Thank you for the opportunity to comment on the CTC staff recommendation for the 2006 STIP. Please find our comments detailed below.

I-680 Sunol Grade HOV Lane Project

The Alameda County Congestion Management Agency (ACCMA) included funds in FY 2007/08 for the "Sunol Grade SB, HOV, Phase 3" project (PPNO A157D). We were previously informed that ITIP funds for the project would remain in FY 2007/08 in order to help deliver the first HOT lane in Northern California on time. The project will be "Ready To List" and the allocation request for the construction phase of this project will be ready in FY 2007/08. The CTC staff proposal delayed both the County Share and the ITIP funds for this project to FY 2008/09. We request the CTC restore both the County Share and ITIP funds to FY 2007/08.

I-580 Corridor HOV Lane Project

The ACCMA included \$17.009 million of STIP funds for the "Route 580 Auxiliary and HOV Lanes (Segment 1)" project (PPNO 115A) in FY 2006/07. This is the second most congested corridor in the Bay Area. The ACCMA is partnering with Caltrans to implement this project with multiple funding sources including STIP, SHOPP and local funds. The ACCMA is providing over \$50 million in funding to deliver the construction phase of this project. Furthermore, the ACCMA is managing over \$150 million in I-580 corridor funding that could allow the ACCMA to offer flexible funding mechanism options to assist in the delivery of the overall project should it be necessary.

The CTC staff proposal delayed STIP funds to FY 2007/08 which will impact project delivery and increase costs. The project will be "Ready To List" in spring 2007 and an allocation request for the construction phase of this project will be ready in FY 2006/07. We also understand that Caltrans is working diligently to

program about \$22 million of SHOPP funds that will complement the STIP funding for this project and will provide construction savings by delivering two previously separate projects as one. We request the CTC restore the County Share funds to FY 2006/07.

Tinker Avenue Extension in the City of Alameda

The CTC staff proposal delayed these funds to FY 2010/11. The ACCMA requests the "Tinker Av Extension" project (PPNO 2009N) be restored to FY 2009/10.

Restoring the program as originally proposed by the ACCMA will allow two high profile freeway construction projects to proceed without further delays. It is especially ironic that the proposed delays impact heavily congested corridors and leave the entire Bay Area with only \$7 million for highway construction in the 2006/07 year of the STIP.

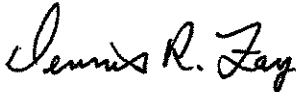
In consideration of the CTC's difficult task of balancing the project requests with available funds, the ACCMA also offers the following program amendments that may ease the balancing process.

ACCMA STIP Amendment Requests

1. The ACCMA requests the CTC substitute a transit project for \$5 million from the "Rt 580 Noise Barrier" project (PPNO 139B) and the \$9 million "Route 580 Auxiliary and HOV Lanes(Segment 2)" project (PPNO 115A). The ACCMA proposes to replace these two projects, which would require State Highway Account (SHA) funds, with a Public Transportation Account (PTA) eligible project for \$14 million for the purchase of buses by AC Transit. ACCMA and MTC plan to deliver the I-580 projects with federal funds, providing relief in this congested corridor.
2. The ACCMA also requests a further substitution for the "International/Telegraph Rapid Bus Signal Priority" project. The \$1 million would instead be programmed to the "Bus Component Rehabilitation" project which will increase that project's STIP funding to \$7.628 million in FY 2007/08. Both of these projects are PTA eligible.

Thank you for your assistance with these matters. Please contact Frank Furger or Matt Todd of my staff if you have any questions about our request.

Sincerely,



Dennis R. Fay
Executive Director

cc: Alix Bockelman, MTC
Kenneth Folari, MTC
James C. Ghielmetti, CTC Commission
Mr. Jeremiah F. Hallisey, CTC Commission
Ross McKeown, MTC

CTC STAFF RECOMMENDATION FROM COUNTY SHARE FOR 2006 STIP

Does Not Include STIP Interregional Share Funding (See Separate Listing)
(\$1,000's)

Proposed New Non-TE Programming:	16,867
Minimum	0
Target	25,930
Maximum	48,778
Under (Over) Non-TE Target	9,063

Alameda

Agency	Rte	PPNO	Project	Voted	Total	Project Totals by Fiscal Year						Project Totals by Component					
						Prior	06-07	07-08	08-09	09-10	10-11	R/W	Const	E & P	PS&E	R/W Sup	Con Sup
MTC		2100	Planning, programming, and monitoring	Jul-05	110	110	0	0	0	0	0	0	110	0	0	0	0
MTC/ACCMA		2179	Planning, programming, and monitoring	Jul-05	110	110	0	0	0	0	0	0	110	0	0	0	0
ACTA	cash	16R	AB 3090 reimbursement (880 HOV)(04S-28)	Aug-05	1,460	1,460	0	0	0	0	0	0	1,460	0	0	0	0
ACTA	loc	16F	Rt 880 HOV, SCL Co Line-Alvarado/Niles	Aug-05	10,340	10,340	0	0	0	0	0	0	10,340	0	0	0	0
Caltrans	80	69F	Emeryville, Ashby/Bay Interchange, env		500	500	0	0	0	0	0	0	0	500	0	0	0
Caltrans	84	1017	Extend Dumbarton HOV Ins to Rt 880, R/W		935	935	0	0	0	0	0	250	0	280	375	30	0
Caltrans	84	1018	HOV on ramp at Newark Bl, R/W		755	755	0	0	0	0	0	250	0	175	300	30	0
Caltrans	238	96A	Reconstruct, widen, Rt 580-Rt 880 (02 STIP)		8,846	8,846	0	0	0	0	0	225	0	1,704	4,640	277	0
Caltrans	580	117	Soundwall, Livermore,Vasco Rd-First St		804	804	0	0	0	0	0	131	0	127	544	2	0
Caltrans	580	139B	Rt 580 noise barrier, add to con		1,130	1,130	0	0	0	0	0	100	0	0	1,000	30	0
Caltrans	580	148A	Soundwall, Oakland EB, 14th Av-Ardley		122	122	0	0	0	0	0	0	0	39	73	10	0
Caltrans	880	42C	Broadway/Jackson Interch, design		6,223	6,223	0	0	0	0	0	0	0	3,608	2,615	0	0
Union City	bus	2110	Union City Intermodal Station (ext 3-06)		720	720	0	0	0	0	0	0	720	0	0	0	0
Caltrans	cash	16Q	AB 3090 reimbursement (880 HOV)(02S-74B)		25,037	0	25,037	0	0	0	0	0	25,037	0	0	0	0
MTC	cash	2100A	AB 3090 reimbursement (03-04 PPM)(02S-124)		86	0	86	0	0	0	0	0	86	0	0	0	0
Union City	te	2110	Union City Station, TE elements (ext 3-06)		5,307	5,307	0	0	0	0	0	0	5,307	0	0	0	0
Prior Commitments (Not Part of 2006 STIP Target)					60,485	35,362	25,123	0	0	0	0	956	43,170	6,433	9,547	379	0
Caltrans	80	69N	Soundwall, Berkeley Aquatic Park		2,986	0	0	0	0	0	2,986	0	2,554	0	251	0	181
Caltrans	84	81D	4-In expwy, Rt 880-Rt 238 Mission Bl		10,000	0	0	0	0	10,000	0	0	10,000	0	0	0	0
Caltrans	238	96A	Reconstruct, widen, Rt 580-Rt 880 (04S-69)		4,059	0	0	0	0	4,059	0	0	4,059	0	0	0	0
ACCMA	loc	115A	Route 580 aux and HOV lanes (segment 1)		17,009	0	0	17,009	0	0	0	0	17,009	0	0	0	0
Caltrans	580	117	Soundwall, Livermore,Vasco Rd-First St	close	-63	-63	0	0	0	0	0	-63	0	0	0	0	0
Caltrans	580	139B	Rt 580 noise barrier, add to con		5,877	0	0	5,877	0	0	0	0	5,227	0	0	0	650
Caltrans	680	A157D	Sunol Grade SB, HOV, phase 3 (RIP)		7,246	0	0	0	7,246	0	0	0	7,246	0	0	0	0
Caltrans	880	16S	Landscaping, SCI Co Line-Alvarado/Niles (02S-74)		3,640	0	0	0	0	0	3,640	0	2,940	0	400	0	300
Oakland	loc	2009M	Mandela Pkwy extension, widening, turn pockets		1,900	0	0	1,900	0	0	0	1,900	0	0	0	0	0
Oakland	loc	1022	Rt 880 access at 42nd Av/High St, R/W		4,090	0	0	4,090	0	0	0	4,090	0	0	0	0	0
Alameda Co	loc	2009L	Vasco Rd safety improvements		3,900	0	0	0	3,900	0	0	0	3,900	0	0	0	0
Alameda (City)	loc	2009N	Tinker Av extension		4,000	0	0	0	0	4,000	0	0	4,000	0	0	0	0
MTC		2100	Planning, programming, and monitoring		531	0	110	111	103	103	104	0	531	0	0	0	0
MTC/ACCMA		2179	Planning, programming, and monitoring		850	0	111	111	209	209	210	0	850	0	0	0	0
Total Non-TE/PTA Proposed for Programming in 2006 STIP					66,025	-63	221	29,098	11,458	14,371	10,940	5,927	58,316	0	651	0	1,131
Highway/Road Reprogramming Target					70,158		16,098	16,506	3,780	24,818	8,956						
Under (over) target					4,133	63	15,877	(12,592)	(7,678)	10,447	(1,984)						
Cumulative under (over)						63	15,940	3,348	(4,330)	6,117							
Union City	bus	2110	Union City Intermodal Station		9,787	0	9,787	0	0	0	0	0	9,787	0	0	0	0
AC Transit	bus	2009A	Maintenance facilities & equipment upgrades		3,705	0	3,705	0	0	0	0	0	3,705	0	0	0	0
AC Transit	bus	2009B	Expand satellite-based tracking communications		1,000	0	1,000	0	0	0	0	0	1,000	0	0	0	0

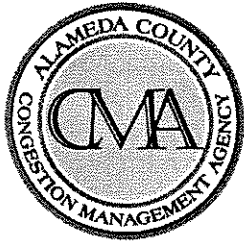
CTC STAFF RECOMMENDATION FROM COUNTY SHARE FOR 2006 STIP

Does Not Include STIP Interregional Share Funding (See Separate Listing)

(\$1,000's)

(\$1,000's)

Alameda																	
Agency	Rte	PPNO	Project	Voted	Total	Project Totals by Fiscal Year						Project Totals by Component					
						Prior	06-07	07-08	08-09	09-10	10-11	R/W	Const	E & P	PS&E	R/W Sup	Con Sup
AC Transit	bus	2009C	Berkeley/Oakland/San Leandro MIS study		2,700	0	2,700	0	0	0	0	0	0	0	2,700	0	0
AC Transit	bus	2009D	Bus component rehabilitation		4,500	0	4,500	0	0	0	0	0	4,500	0	0	0	0
LAVTA	bus	2009K	Bus operating facility, phase 1 (land and lot)	ADD	1,500	0	1,500	0	0	0	0	0	1,500	0	0	0	0
LAVTA	bus	2009K	Bus operating facility, phase 2 (buildings)		4,000	0	0	0	4,000	0	0	0	4,000	0	0	0	0
Emeryville	rail	2020	Emeryville terminal, parking garage (RTIP)(02S-87)		110	0	0	0	110	0	0	0	110	0	0	0	0
BART	rail	2103	Oakland Airport connector guideway (RTIP)		38,000	0	0	38,000	0	0	0	0	38,000	0	0	0	0
BART	rail		BART station renovation	NEW	3,248	0	0	3,248	0	0	0	0	3,000	0	248	0	0
AC Transit	bus	2009I	Bus component rehabilitation	NEW	6,628	0	0	6,628	0	0	0	0	6,628	0	0	0	0
AC Transit	bus	2009J	International/Telegraph rapid bus signal priority	NEW	1,000	0	1,000	0	0	0	0	0	1,000	0	0	0	0
Total PTA-eligible Proposed for Programming in 2006 STIP					78,178	0	24,192	47,876	4,110	0	0	0	73,230	0	2,948	0	0
PTA Programming, 2004 STIP					55,178		2,700	16,457	38,021	0	0						
Under (over) 2004 STIP					(21,000)	0	(21,492)	(31,419)	31,911	0	0						
Cumulative under (over) 2004 STIP						0	(21,492)	(52,911)	(21,000)	(21,000)	(21,000)						
Union City	te	2110	Union City Intermodal Station, enhancements	NEW	2,000	0	2,000	0	0	0	0	0	2,000	0	0	0	0
MTC	res	2100C	TE reserve		8,914	0	0	811	1,770	2,410	1,923	0	8,914	0	0	0	0
Total TE Proposed for Programming in 2006 STIP					8,914	0	2,000	811	1,770	2,410	1,923	0	8,914	0	0	0	0
Enhancement Target					8,914		1,130	1,982	2,040	1,859	1,923						
Under (over) target					0	0	(870)	1,151	270	(551)	0						
Cumulative under (over)						0	(870)	281	551	0	0						
Project Proposals Not Included in Staff Recommendation:																	
ACCMA	loc	115A	Route 580 aux and HOV lanes (segment 2)	SPLIT	9,000												
Caltrans	24	57A	Caldecott Tunnel 4th bore (RIP)	NEW	5,000												



ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

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April 27, 2006
Agenda Item 8.1

Memorandum

Date: April 14, 2006
To: CMA Board
From: Administration and Legislation Committee
Subject: I-680 Smart Carpool Lane: Public Education and Marketing

Action Requested

A public outreach meeting for the I-680 Smart Carpool Lane was held in October 2005. The meeting had extensive coverage from both newspapers and television. A project website was launched to provide information about the project as well as to provide an opportunity for public input. The summary of the meeting included recommendations for continued public education and marketing of the Smart Lane. Staff is seeking consultant services based on these recommendations. The services will be funded by FHWA's Value Pilot Pricing Program grant with Measure B providing the 20% match. It is recommended that the Board authorize the Executive Director to sign a contract with the selected consultant for public education and marketing services in an amount not to exceed \$400,000 covering a three-year period.

Next Steps

The scope of work and request for proposals will be finalized.

Discussion

A public meeting on the Smart Carpool Lane was held in Fremont last October. The meeting had extensive media coverage including newspaper articles, press releases, and television and radio spots. A website was launched providing a virtual open house. Although the attendance at the meeting was low, there were 18,000+ hits on the website.

The Final Report for the public outreach meeting included a summary of the meeting and recommendations for future marketing and education activities. The recommendations include the following:

- Conduct additional research through public opinion poll(s), focus groups and selected interviews with the business community, environmental advocates, corridor users and residents adjacent to the corridor
- Develop a core message and consistent theme for public presentations

- Form an advisory committee to solicit feedback on continuing design and operations of the facility
- Conduct additional public meetings as deemed appropriate
- Update and maintain website
- Design and printing of all publications relating to the Smart lane
- Media relations

Services under this contract would be for three years until the launch of the project scheduled for late 2009.

The budget level is consistent with the amount of funds spent on the Minnesota project. The MnPass project costs for public outreach and marketing was \$451,000 for consultant services and printing of materials.

Funds are available from the Value Pricing Pilot Program Grant from FHWA and Measure B. Federal funding will require a DBE goal. Representatives from FHWA, Caltrans, ACTIA and VTA will be invited to participate in selection of the consultant.

The Sunol Smart Carpool Lane JPA approved the scope of work in concept at their meeting on April 10th.



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*Agenda Item 8.2
April 27, 2006*

DATE: April 19, 2006
TO: CMA Board
FROM: Dennis R. Fay, Executive Director *DRF*
SUBJECT: AB1020 (Hancock) - Regional Travel Demand Model

Action Requested

This bill would require the department and certain regional transportation planning agencies, such as MTC, to develop travel models that incorporate such factors as land use intensification, land use models based on bidding for floor space, representations of all transit lines and roads, parking cash-out, and neighborhood plans that enhance pedestrian access. The CMAs in the Bay Region are required to have travel models that are consistent with MTC's model. The requirements of this bill therefore impact the CMAs in the Bay Region. It is recommended that the CMA Board watch this bill and request the following amendments that would lessen the cost of complying and impact on the CMA travel model:

1. 65089.62 (a): This section requires the designated MPOs and RTPAs, to account for influence of land use intensity (housing units per residential acre or equivalent) and transit service levels on automobile ownership and vehicle miles traveled per household. Recommended Change: It is recommended that this language be deleted because the influence or impact of land use intensity on travel is already included in 65089.66 and the impact of transit improvements on vehicular travel is included in 65089.64 (b).
2. 65089.62 (d): Land use models based on bidding for floorspace and implemented on small zones or parcels. Recommended Change: This language be deleted because land use databases that are this detailed would require a substantive level of detailed data inputs (parcel vs. the census tracts), and therefore would require significant effort and be very costly to implement. Further, the cities and counties that keep the parcel data may not be willing to provide such data for this purpose due to privacy concerns. In addition, it assumes that the land use models are a subset of travel models, which is not the case.
3. 65089.64 (g): Travel model should be capable of evaluating at least the following - Neighborhood plans that enhance pedestrian access. Recommended Change: This language be deleted. This provision in the bill would require adding micro level detail into the macro transportation demand model in order to account for pedestrian trips between neighborhoods. This would be prohibitively expensive for regional and countywide models. In addition, regional and countywide models are seldom used to evaluate the impact of neighborhood plans. Even if such circumstances arise, a focused micro level model can be developed for a particular project to assess the impact on pedestrian access.
4. 65089.64 (h): A freight travel model and a commodity flows travel model should additionally be included in the travel models of the designated MPOs. Recommended Change: This language be either deleted or clarified to define the difference between a freight model and a commodity flow model.
5. 65089.66: The evaluation of large private and public land development projects should be done with models that accurately account for the impacts of density mix and other efficient land use policies on travel. These models may be simpler than those used for transportation projects. Recommended Change: We request that the last sentence "these models may be simpler than

those used for transportation projects” be deleted. This language assumes that the land use models are a subset of travel models, which is never the case.

Discussion

Background and capabilities of the CMA model:

The CMA model is required to be consistent with the modeling methodologies of the MTC model and required to use Association of Bay Area Governments’ (ABAG) most recent land use. The CMA performs a comprehensive update of the travel demand model every 10 years and does minor updates every two years to include ABAG’s most recent land use projections and to update the roadway networks. The CMA is currently conducting a comprehensive update of the countywide model at a cost of \$400,000 that tiers off of Metropolitan Transportation Commission’s (MTC) regional model. The CMA’s transportation demand model will provide more detailed roadway networks and smaller traffic analysis zones than the regional model.

In the Bay Area, the regional models, including countywide models, already have most of the capabilities proposed by AB1020. These capabilities include:

- Employing mode split models that allocate trips between pedestrian, bicycle, transit, carpool, and single-occupant automobile
- Careful representation of all transit lines and roads
- The ability to model four time intervals
- The ability to account for induced travel and land development resulting from highway or passenger rail expansion. (This step is done in the current model through a manual feedback loop between the travel demand model and the land use model).
- Evaluating land use intensification. (This is done by using different density factors and rerunning the models for each density level).
- Test for mixed land uses
- The ability to model the effects of varying levels of parking charges (with some additional efforts accounting for parking cash-out can also be done).
- The ability to model the effects of peak period tolls and 24 hour tolls

Intent of AB1020 and its potential impact to the CMAs:

There are several areas of concern about the requirements of AB1020 as it relates to developing a parcel level land use database to model the impact of land use intensity and transit improvements. AB1020 effectively is requiring the use of technical tools that are more precise than the conventional four step modeling process is meant to do. It is doable, but at enormous cost, time and effort. It would not be cost effective for the purposes of analyzing the impacts of Smart Growth. When an impact of Smart Growth development and/or a transit improvement needs to be assessed, it could be done through a micro-level model at the local level, which is exclusively developed for the project with more precise local details using the output from the regional model.

Currently, the regional models, including the countywide models, consist of census tract level land use data. AB1020 would require more detailed parcel level land use data for the regional model itself. This level of land use would be time consuming and difficult to implement and may not be cost effective for regional models. Specifically, a parcel land use database would require that regional and countywide transportation demand models be validated and calibrated to every roadway and possibly every intersection. At present, the roadway network is only validated and calibrated to freeway and principal arterial segments and some freeway ramps. Therefore, even though the

regional and countywide transportation demand models have the ability to measure the effects of land use and other changes, the changes can only be reliably reported for freeways and principal arterials. As a result, the transportation demand models may be better used in the analysis of the effects of Smart Growth as input into a micro level model that has the ability to measure project impacts at the intersection and smaller roadway segment level.

The difficulties for the CMA in implementing AB1020, with regards to implementing a more detailed land use database, are summarized below:

- The ACCMA model, currently being comprehensively updated, would not meet AB1020 requirements in terms of the detailed land use datasets and would require substantive effort to include it.
- The current software (CUBE/VOYAGER) being used by the CMA may not have the ability to support a more detailed land use database and the CMA may have to switch to different software. If the software needs to be changed, then this could result in requiring rebuilding the model in a new software.
- In order to meet the AB 1020 requirements for land use datasets (65089.62 (d) - Land use models based on bidding for floorspace and implemented on small zones or parcels), ABAG would have to develop an excessively detailed land use database with parcel level data. This is an extremely difficult task due to the following:
 - scope of work to implement a parcel level land use database is substantive and would take a significant amount of time to develop.
 - the cities and counties that have the parcel data may not be willing to provide these due to privacy concerns. In addition, providing data at this level is very labor intensive. Local jurisdictions would likely not have the resources to provide this detailed data.
 - There is no funding identified to develop the database and it is likely to be prohibitively expensive.
- If and when ABAG and MTC embark on developing the required database, there would likely be an additional direct cost to the CMAs in terms of data collection. The CMAs may be asked to participate in the data base development effort because the CMA would likely be able to use it directly in our model, with a possible aggregation of land use data outside Alameda County.
- If ABAG elects to develop a detailed parcel level database, it would require MTC to develop a more detailed roadway network probably to the level of the countywide or even subarea models. This could have an impact on the currently established land use and roadway network review process the ACCMA has with the Alameda County jurisdictions. On the one hand, this could benefit the CMAs since the regional model will have a highly detailed network and land use database, it will be ready for the use by the CMAs. But it could also result in a more intensive, detailed review process than is currently done. The cost to and willingness of the local jurisdictions to participate in another more detailed land use review is unknown.

AMENDED IN ASSEMBLY JANUARY 23, 2006

AMENDED IN ASSEMBLY JANUARY 13, 2006

AMENDED IN ASSEMBLY JANUARY 4, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1020

Introduced by Assembly Member Hancock

February 22, 2005

An act to add Chapter 2.68 (commencing with Section 65089.60) to Division 1 of Title 7 of the Government Code, relating to planning.

LEGISLATIVE COUNSEL'S DIGEST

AB 1020, as amended, Hancock. Transportation planning: improved travel models.

Existing law requires certain transportation planning activities by the Department of Transportation and by designated regional agencies.

This bill would require the department, in partnership with certain federally designated metropolitan planning organizations and certain state-designated regional transportation planning agencies, to provide a notice to the Legislature by January 31, 2007, on a schedule for a comprehensive review and evaluation of current travel models and model improvements already underway. The bill would require these planning organizations and agencies using travel models to use models that incorporate specified factors, thereby imposing a state-mandated local program. The bill would identify other objectives that may be included in the travel models. The bill would enact other related provisions.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Improved transportation planning can have dramatic
4 economic and environmental benefits for California residents,
5 and can make government expenditures on transportation
6 infrastructure far more cost-effective.

7 (b) Better transportation infrastructure ~~and planning decisions~~
8 ~~and better land use planning decisions can have immense~~
9 ~~benefits on by the agencies responsible for those decisions can~~
10 ~~be of immense benefit to~~ California's air quality and economy.
11 Motor vehicles produce over 60 percent of smog precursor
12 emissions in some urban regions, and automobile usage costs
13 California households one hundred billion dollars
14 (\$100,000,000,000) annually. Improvements in transportation
15 ~~planning, incorporating accurate evaluation of the effect of land~~
16 ~~use practices and policies eventually~~ could reduce these
17 environmental and economic impacts by 30 percent or more.

18 (c) Current planning models used for making transportation
19 infrastructure decisions and for air quality planning do not
20 always adequately reflect the effect of compact residential
21 development patterns, the effect of mass transit on reducing car
22 ownership and overall travel, the effect of highways on inducing
23 additional automobile traffic, and the effect of economic
24 incentives such as tolls, transit pricing, and parking charges.

25 (d) Because of these widespread modeling deficiencies,
26 elected officials and other government decisionmakers often do
27 not get adequate information on which to base multibillion dollar

1 65089.61. The department, in partnership with the designated
2 MPOs and the designated RTPAs, shall provide a notice to the
3 Legislature by January 31, 2007, on a schedule for a
4 comprehensive review and evaluation of the current travel
5 models and model improvements already underway.

6 65089.62. Whenever models are now used by the designated
7 MPOs and RTPAs, the models shall incorporate the following:

8 (a) Account for the influence of land use intensity (housing
9 units per residential acre or equivalent) and transit service levels
10 on automobile ownership and vehicles miles traveled per
11 household.

12 (b) Employ mode split models that allocate trips between
13 pedestrian, bicycle, transit, carpool, and single-occupant
14 automobile modes.

15 (c) Careful representation of all transit lines and roads.

16 (d) Land use models based on bidding for floorspace and
17 implemented on small zones or parcels.

18 65089.63. The travel models may do both of the following:

19 (a) Account for travel demands during at least four time
20 intervals during the day.

21 (b) Account for induced travel and induced land development
22 resulting from highway or passenger rail expansion.

23 65089.64. The travel models should be capable of evaluating
24 at least the following policy choices:

25 (a) Land use intensification.

26 (b) The impact of enhanced transit service levels on reducing
27 overall vehicular travel and car ownership.

28 (c) Mixed land uses.

29 (d) Parking charges and parking cash-out.

30 (e) Peak period freeway tolls.

31 (f) Twenty-four-hour freeway tolls.

32 (g) Neighborhood plans that enhance pedestrian access.

33 (h) A freight travel model and a commodity flows travel
34 model should additionally be included in the travel models of the
35 designated MPOs.

36 65089.65. The department, in partnership with the designated
37 MPOs and RTPAs, is encouraged to develop budgeting plans that
38 ensure the continuous improvement of travel models. All models
39 should be peer reviewed at least every 10 years. Household travel
40 surveys used in the models should adequately sample all modes,

1 to the extent statistically feasible, and should be updated at least
2 every 10 years. The department, in partnership with designated
3 MPOs and RTPAs, should validate predicted versus measured
4 vehicle speeds on highways and traffic volumes by time of travel
5 on roadway links.

6 65089.66. The evaluation of large private and public land
7 development projects should be done with models that accurately
8 account for the impacts of density, mix, and other efficient land
9 use policies on travel. These models may be simpler than those
10 used for transportation projects.

11 65089.67. All transportation models used by state or regional
12 agencies should be usable on personal computers for public use.
13 This section does not require agencies to provide commercial
14 software developed by third parties that may be needed to run the
15 model.

16 65089.68. If the agencies identified in subdivisions (a) and
17 (b) of Section 65089.60 meet the modeling requirements of this
18 chapter, their models shall be considered state of the practice and
19 fully adequate technically.

20 65089.69. The department, in consultation with the California
21 Association of Councils of Governments, shall meet at least
22 annually with the designated MPOs and RTPAs to evaluate their
23 progress in meeting the technical requirements listed in this
24 chapter, and to identify resources available to assist them in
25 meeting the requirements in the most timely and complete
26 manner practical. In this process, the department may modify or
27 extend the technical requirements of this chapter.

28 SEC. 3. If the Commission on State Mandates determines that
29 this act contains costs mandated by the state, reimbursement to
30 local agencies and school districts for those costs shall be made
31 pursuant to Part 7 (commencing with Section 17500) of Division
32 4 of Title 2 of the Government Code.

O